United Nations

Resolutions
and
Decisions

adopted by the General Assembly during its sixty-third session

Volume I

Resolutions

16 September – 24 December 2008

General Assembly

Official Records • Sixty-third Session

Supplement No. 49 (A/63/49)

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United Nations • New York, 2009

NOTE

The resolutions and decisions of the General Assembly are identified as follows:

Regular sessions

Until the thirtieth regular session, the resolutions of the General Assembly were identified by an arabic numeral followed by a roman numeral in parentheses indicating the session (for example: resolution 3363 (XXX)). When several resolutions were adopted under the same number, each of them was identified by a capital letter placed between the two numerals (for example: resolution 3367 A (XXX), resolutions 3411 A and B (XXX), resolutions 3419 A to D (XXX)). The decisions were not numbered.

Since the thirty-first session, as part of the new system adopted for symbols of General Assembly documents, resolutions and decisions have been identified by an arabic numeral, indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution 31/1, decision 31/301). When several resolutions or decisions were adopted under the same number, each of them has been identified by a capital letter placed after the two numerals (for example: resolution 31/16 A, resolutions 31/6 A and B, decisions 31/406 A to E).

Special sessions

Until the seventh special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letter "S" and a roman numeral indicating the session (for example: resolution 3362 (S-VII)). The decisions were not numbered.

Since the eighth special session, resolutions and decisions have been identified by the letter "S" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution S-8/1, decision S-8/11).

Emergency special sessions

Until the fifth emergency special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letters "ES" and a roman numeral indicating the session (for example: resolution 2252 (ES-V)). The decisions were not numbered.

Since the sixth emergency special session, resolutions and decisions have been identified by the letters "ES" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution ES-6/1, decision ES-6/11).

In each of the series described above, the numbering follows the order of adoption.

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The present volume contains the resolutions adopted by the General Assembly from 16 September to 24 December 2008, as well as the information requested by the Assembly in section C, paragraph 3, of its resolution 54/248 of 23 December 1999. Decisions adopted by the Assembly during this period appear in volume II. Resolutions and decisions adopted subsequently during the sixty-third session will be published in volume III.

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RESOLUTION 63/1

Adopted at the 4th plenary meeting, on 22 September 2008, without a vote, on the basis of draft resolution A/63/L.1, submitted by the President of the General Assembly

63/1. Political declaration on Africa's development needs

The General Assembly,

Recalling its resolution 62/242 of 4 March 2007, in particular paragraph 5,

Adopts the following political declaration:

Political declaration on Africa's development needs

1. We, Heads of State and Government, Ministers and representatives of Member States gathered at a high-level meeting at United Nations Headquarters in New York on 22 September 2008 to address "Africa's development needs: state of implementation of various commitments, challenges and the way forward", stress that the high-level meeting represents a unique opportunity to strengthen the global partnership for development in Africa, which is pivotal to bringing Africa into the mainstream of the global economy.

2. We reaffirm the special needs of Africa as contained in the United Nations Millennium Declaration,[1] the United Nations Declaration on the New Partnership for Africa's Development,[2] the Monterrey Consensus of the International Conference on Financing for Development,[3] the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[4] and the 2005 World Summit Outcome.[5]

3. We recommit ourselves to reinvigorate and strengthen a global partnership of equals based on our common values, mutual accountability, shared responsibility and the determination to collectively act for our common future and to mobilize the resources, including human, financial and technological, required to end poverty, hunger and underdevelopment in Africa, with the explicit objective of turning existing commitments into concrete actions.

4. We commit to strengthening support for the implementation of the New Partnership for Africa's Development,[6] which is an overarching framework for socio-economic sustainable development in Africa, as well as for the implementation of national and subregional development plans and strategies.

5. We stress that eradicating poverty, particularly in Africa, is the greatest global challenge facing the world today. We underline the importance of accelerating sustainable broad-based economic growth, including employment generation and decent work, towards a vibrant Africa.

6. We reaffirm our commitment to address the special needs of Africa, a continent where, despite recent considerable improvements, the full and timely achievement of the internationally agreed development goals, including the Millennium Development Goals, remains elusive.

7. We commit to supporting the consolidation of democracy in Africa and assisting African countries in their struggle for lasting peace, economic growth, poverty eradication and sustainable development.

8. We underline that good governance at all levels is essential for sustained economic growth, poverty eradication and sustainable development. We welcome the progress many African countries have made with respect to implementing pro-poor economic policies, deepening democracy and protecting human rights. We stress the importance of African-led initiatives to strengthen political, economic and corporate governance, such as the African Peer Review Mechanism. We recommit ourselves to actively protecting and promoting all human rights, the rule of law and democracy.

9. We welcome the efforts of African Governments to mobilize domestic resources and attract private capital to finance the investments and expenditures needed to achieve their development goals. We underscore the importance of an enabling environment at all levels, which is vital for mobilizing domestic resources, increasing productivity, generating employment, especially for youth, reducing capital flight, fighting corruption, encouraging the private sector and attracting foreign direct investment, and in this regard we underline the importance of human, professional and institutional capacity-building for development.

10. We stress the importance of strengthening domestic financial sectors as a source of capital by making them inclusive, thus expanding access to financial services.

11. We underline the importance of increasing foreign direct investment in the extractive industries value chain as well as diversification in other sectors, in order to achieve higher levels of employment and facilitate the transfer of technology and knowledge.

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[1] See resolution 55/2.

[2] See resolution 57/2.

[3] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[4] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[5] See resolution 60/1.

[6] A/57/304, annex.

12. We are concerned that, at the current rate, the commitment of doubling aid to Africa by 2010 as articulated at the Summit of the Group of Eight, held at Gleneagles from 6 to 8 July 2005, will not be reached. We call for the fulfilment of all official development assistance-related commitments, including the commitments made by many developed countries to achieve the target of 0.7 per cent of gross national income for official development assistance by 2015, as well as the target of 0.15 per cent to 0.20 per cent of gross national income for least developed countries, and urge those developed countries that have not yet done so to make concrete efforts in this regard in accordance with their commitments.

13. We welcome the increased aid flows from new development actors, including some developing countries, global funds, the private sector and civil society organizations, as well as from innovative sources of finance.

14. We emphasize that debt sustainability is essential for underpinning growth, and underline the importance of debt sustainability and effective debt management to the efforts to achieve national development goals, including the Millennium Development Goals. Debtors and creditors must share the responsibility for preventing and resolving unsustainable debt situations. We note with appreciation the progress under the Heavily Indebted Poor Countries Initiative and the Multilateral Debt Relief Initiative, but remain concerned that a number of African countries are still facing difficulties in finding a durable solution to their debt problems, which could adversely affect their sustainable development. We therefore call for continued efforts to achieve long-term debt sustainability.

15. We recommit to improving the effectiveness of development assistance, including the fundamental principles of ownership, alignment, harmonization, managing for results and mutual accountability. We call for a continuing dialogue to improve the effectiveness of aid, including the full implementation of the Accra Agenda for Action by countries and organizations that commit to it.

16. We commit to promoting South-South cooperation and triangular cooperation, which have great potential to facilitate the exchange of successful strategies, practices and experiences. The impact of South-South cooperation may be further harnessed through synergies with other bilateral or multilateral development partners. We recognize South-South cooperation initiatives that are rooted in the principle of national ownership and are aimed at strengthening productive capacity as well as accelerating economic growth and sustainable development.

17. We welcome the commitments made by Africa and its development partners in the context of various important initiatives and partnerships in recent years, inter alia, the Africa Partnership Forum, the New Asian-African Strategic Partnership, the China-Africa Partnership, the European Union-Africa Strategic Partnership, the Group of Eight-Africa Partnership, the Millennium Challenge Account, the Emergency Plan for AIDS Relief of the President of the United States of America, the Africa-Turkey Cooperation Summit, the Africa-South America Summit, the Tokyo International Conference on African Development, the comprehensive health-care initiative sponsored by the Government of Cuba, the Initiative for Africa's Development of the Republic of Korea, the special technical assistance programme for Africa of Pakistan, the Viet Nam-Africa cooperation partnership and the India-Africa Forum.

18. We urge the United Nations system, international and regional financial institutions and other multilateral development partners to continue and strengthen support for African Governments in their efforts to implement national development strategies and programmes. We stress the need to strengthen the capacities and capabilities of the United Nations system in supporting Africa's development.

19. We stress the need for well-functioning national and international financial systems, which should have the capacity to help reduce uncertainty and support economic growth. We recognize the need to enhance the voice and participation of developing countries in policymaking in the areas of trade, money and finance.

20. We are concerned that Africa's share of international trade is only 2 per cent, and underline the important role that trade plays in promoting economic growth. We stress the need to promote Africa's international trade, including through regional integration and greater integration into the global economy and fulfilment of our commitment to a well-functioning, universal, rules-based, open, non-discriminatory and equitable multilateral trading system which promotes sustainable development. We commit to redoubling our efforts towards the reinvigoration of the multilateral trade negotiations and to achieve a successful development-oriented outcome of the Doha Round of the World Trade Organization. We call for stronger national action and international support to build domestic productive competitive export supply capacities, as well as trade support, infrastructure and institutions for African countries.

21. We underline that development, peace and security and human rights are interlinked and mutually reinforcing. We stress that conflict prevention, resolution and management and post-conflict consolidation are essential for the achievement of the objectives of the special needs of Africa. We welcome the progress that the African Union and the subregional organizations have made in this regard, inter alia, through the strengthening of Africa's peace and security architecture.

22. We call for intensified efforts and a coordinated approach between national Governments, the African Union, subregional organizations, the United Nations system and partners with a view to achieving further progress towards the goal of a conflict-free Africa. We stress the importance of and pledge to support peace consolidation mechanisms and processes, including the Panel of the Wise, the African Union

Post-Conflict Reconstruction and Development Framework, the early warning system and the operationalization of the African Standby Force. We also stress the importance of and pledge to support relevant United Nations bodies, inter alia, the Peacebuilding Commission. We welcome the intensification of cooperation between the United Nations and the African Union on peace and security and underline the importance of the implementation of the ten-year capacity-building programme for the African Union. We call upon the international community to assist post-conflict countries in achieving a smooth transition from relief to development.

23. We recognize that Africa faces a number of serious challenges, including poverty, hunger, climate change, land degradation and desertification, rapid urbanization, lack of adequate water supplies and energy supply and HIV/AIDS, malaria, tuberculosis and other endemic diseases. We commend African countries for their leadership in addressing those challenges and charting the way forward for the region in the context of the African Union as well as through national and subregional development plans and strategies.

24. We stress that climate change has serious implications for sustainable development. We express concern that Africa faces high risks from the negative effects of climate change, although it emits the least amount of greenhouse gases. We acknowledge that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions. We reaffirm our support for the United Nations Framework Convention on Climate Change,[7] and welcome the decisions adopted by the Conference of the Parties to the Convention at its thirteenth session, held in Bali from 3 to 15 December 2007,[8] including the Bali Action Plan.[9] We remain deeply concerned that all countries, in particular developing countries, including least developed countries, small island developing States and African countries, face increased risks from the negative effects of climate change, and stress the need to urgently address adaptation needs relating to such effects. In this context, we underline in particular the need for new and additional financial resources.

25. We are concerned about the consequences of the global food crisis on the achievement of the Millennium Development Goals, and in this regard we acknowledge the African Union's declaration on responding to the challenges of high fuel prices and agricultural development. We call for an integrated response by African countries and the international community, working in partnership to support integrated and sustainable agriculture and rural development approaches, and stress the importance of food security and strengthening the agricultural sector, as set out in, inter alia, the Comprehensive Africa Agriculture Development Programme of the New Partnership for Africa's Development. We call upon all donors and the United Nations system to increase their assistance to Africa, in particular to least developed countries and those that are most negatively affected by high food prices.

26. We welcome Africa's commitment to the Africa Water Vision 2025, the Sirte declaration on agriculture and water in Africa[10] and the Sharm el-Sheikh Commitments for Accelerating the Achievement of Water and Sanitation Goals in Africa.[11]

27. We recognize the challenges of inadequate infrastructure and industrialization in Africa and the need to substantively increase investment in all forms of infrastructure in accordance with the New Partnership for Africa's Development. We recognize the contribution that private capital can make towards the development of infrastructure.

28. We recognize the urgent need for large-scale investments in energy infrastructure, as outlined in the New Partnership for Africa's Development, and are committed to promoting renewable sources of energy, clean energy, energy efficiency and conservation.

29. We reaffirm the universal commitment to promoting gender equality and the empowerment of women, recognizing that they are key actors in development.

30. We resolve to increase our efforts to reduce maternal and child mortality, and reaffirm the commitment to achieve universal access to reproductive health by 2015.

31. We note with concern that violence against women and children everywhere continues and often increases, and resolve to ensure the strict universal adherence to international norms regarding violence against women and girls.

32. We express our grave concern at the negative effects on development, peace, security and human rights posed by transnational crime, including the smuggling of and trafficking in human beings.

33. We commit ourselves to safeguarding the principle of refugee protection and to upholding our responsibility in resolving the plight of refugees, including through support of efforts aimed at addressing the causes of refugee movement, bringing about the safe and sustainable return of those populations.

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[7] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[8] FCCC/CP/2007/6/Add.1.

[9] Ibid., decision 1/CP.13.

[10] Sirte Declaration on the Challenges of Implementing Integrated and Sustainable Development on Agriculture and Water in Africa (African Union, document Ex/Assembly/AU/Decl.1 (II). Available from www.africa-union.org).

[11] African Union, document Assembly/AU/Dec. (XI). Available from www.africa-union.org.

34. We recognize the Guiding Principles on Internal Displacement[12] as an important international framework for the protection of internally displaced persons, and welcome the fact that an increasing number of States, United Nations agencies and regional and non-governmental organizations are applying them as a standard, and encourage all relevant actors to make use of the Guiding Principles when dealing with situations of internal displacement.

35. We recognize that HIV/AIDS, malaria, tuberculosis and other infectious diseases pose severe risks for the entire world and serious challenges to the achievement of development goals. In this regard, we welcome the commitment by African Governments and regional institutions to scale up their own responses in order to curb the devastating effects of those pandemics. We reaffirm our commitment to pursuing all necessary efforts to scale up support for nationally driven, sustainable and comprehensive responses in Africa to achieve broad multisectoral coverage for prevention, treatment, care and support, with the full and active participation of people living with HIV, vulnerable groups, most affected communities, civil society and the private sector, towards the goal of universal access to comprehensive prevention programmes, treatment, care and support by 2010, in line with the 2006 Political Declaration on HIV/AIDS.[13]

36. We renew our resolve to fulfil our commitments towards providing quality basic education and promoting literacy, using the full range of bilateral and multilateral instruments, including continued efforts to mobilize resources to meet the education needs of African countries. We emphasize the importance of expanded primary, secondary and higher education as well as vocational education and technical training, especially for girls and women.

37. We recognize that the way forward for meeting Africa's development needs requires taking coordinated, balanced and integrated actions at all levels for the full and timely achievement of the Millennium Development Goals and comprehensively addressing all challenges to Africa's development. In this regard, we welcome the Secretary-General's initiative to hold a high-level event on the Millennium Development Goals on 25 September 2008.

38. This political declaration is adopted on 22 September 2008 on the occasion of the high-level meeting on "Africa's development needs: state of implementation of various commitments, challenges and the way forward". It seeks to reaffirm the commitment of all States to addressing the development needs on the African continent. In adopting this political declaration, Member States reaffirm their belief in a prosperous future for Africa in which core human values of dignity and peace are fully enshrined. In this context, Member States further confirm their adherence to the spirit of cooperation that defines the United Nations system and that is based on a partnership among equals.

39. The high-level meeting has reviewed the implementation of all commitments made to and by Africa in order to comprehensively address the special development needs of the continent. All commitments to and by Africa should be effectively implemented and given appropriate follow-up by the international community and by Africa itself. We underscore the urgency of finding solutions to Africa's major challenges. In this regard, we request the Secretary-General to submit to the General Assembly at its sixty-fourth session a comprehensive report, with recommendations, on "Africa's development needs: state of implementation of various commitments, challenges and the way forward" with a view to the formulation, by the sixty-fifth session of the Assembly, of a mechanism to review the full and timely implementation of all commitments related to Africa's development, building on existing mechanisms, to ensure that Member States remain seized of the issue of addressing Africa's special development needs.

RESOLUTION 63/2

Adopted at the 19th plenary meeting, on 3 October 2008, without a vote, on the basis of draft resolution A/63/L.3, submitted by the President of the General Assembly

63/2. Outcome document of the midterm review of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries

The General Assembly,

Recalling its resolution 62/204 of 19 December 2007, in particular paragraph 11 thereof,

Adopts the following outcome document:

Declaration of the high-level meeting of the sixty-third session of the General Assembly on the midterm review of the Almaty Programme of Action

We, the Ministers and heads of delegations participating in the high-level plenary meeting of the General Assembly on the midterm review of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit

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[12] E/CN.4/1998/53/Add.2, annex.

[13] Resolution 60/262, annex.

Transport Cooperation for Landlocked and Transit Developing Countries,[14] held in New York on 2 and 3 October 2008,

Recalling the United Nations Millennium Declaration,[15] in which Heads of State and Government recognized the particular needs and problems of landlocked developing countries and urged both bilateral and multilateral donors to increase financial and technical assistance to that group of countries to meet their particular development needs and to help them to overcome the impediments of geography by improving their transit transport systems, and resolved to create an environment, at the national and global levels alike, that is conducive to development and to the eradication of poverty,

Reaffirming our commitment to urgently addressing the special development needs of and challenges faced by the landlocked developing countries through the full, timely and effective implementation of the Almaty Programme of Action, as called for in the 2005 World Summit Outcome,[16]

Also reaffirming that the Almaty Programme of Action constitutes a fundamental framework for genuine partnerships between landlocked and transit developing countries and their development partners at the national, bilateral, subregional, regional and global levels,

Recognizing that the primary responsibility for establishing effective transit systems rests with the landlocked and transit developing countries, which need to seek to create conditions in which resources can be generated, attracted and effectively mobilized to address their development challenges, but that their efforts need to be given continued international support by the development partners and international and regional organizations in a spirit of shared responsibility, including South-South cooperation and triangular cooperation, and taking into account regional integration agreements,

Also recognizing that the private sector is an important stakeholder, whose contribution to the development of infrastructure and productive capacity should be increased, including through public-private partnerships,

Further recognizing that cooperation between landlocked and transit developing countries results in better transit transport systems. This cooperation must be promoted on the basis of the mutual interest of both landlocked and transit developing countries,

Reaffirming the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with applicable rules of international law,

Also reaffirming that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests,

Expressing support to those landlocked developing countries that are emerging from conflict, with a view to enabling them to rehabilitate and reconstruct, as appropriate, their political, social and economic infrastructure and assisting them in achieving their development priorities in accordance with the goals and targets of the Almaty Programme of Action, as well as the Millennium Development Goals,

Taking note of the outcome documents of the Thematic Meeting on Transit Transport Infrastructure Development, held in Ouagadougou from 18 to 20 June 2007,[17] and of the Thematic Meeting on International Trade and Trade Facilitation, held in Ulaanbaatar on 30 and 31 August 2007,[18]

Also taking note of the respective outcome documents of the regional review meeting for Asia and Europe, held in Bangkok on 22 and 23 April 2008, the regional review meeting for Africa, held in Addis Ababa from 18 to 20 June 2008, and the regional review meeting for Latin America, held in Buenos Aires on 30 June 2008,[19]

1. *Reaffirm* the commitment made in the Almaty Programme of Action to address the special needs of the landlocked developing countries, taking into account the challenges confronted by their transit developing neighbours, through measures identified in the five priorities of the Programme of Action;[14]

General assessment

2. *Acknowledge* that despite persisting problems, landlocked developing countries, as a group, have achieved some progress in their overall economic development and growth. They have recorded increased growth rates of gross domestic product and foreign direct investment in the past five years; and exports have surged, particularly for oil and other mineral resources;

3. *Express concern* that the economic growth and social well-being of landlocked developing countries remain very vulnerable to external shocks as well as the multiple challenges the international community faces;

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[14] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[15] See resolution 55/2.

[16] See resolution 60/1.

[17] A/62/256 and Corr.1, annexes I and II.

[18] A/C.2/62/4, annexes I and II.

[19] Available from www.unohrlls.org/en/lldc/673/.

4. *Acknowledge* that landlocked and transit developing countries, with the support of their development partners, have registered some progress in implementing the specific actions agreed upon in the Almaty Programme of Action. Landlocked and transit developing countries in Africa, Asia, Europe and Latin America have strengthened their policy and governance reform efforts. Donor countries, financial and development institutions and international and regional organizations have paid greater attention to the establishment of efficient transit systems;

5. *Recognize* that, although the difficulties of being landlocked permeate every aspect of the development process and poverty eradication, their negative impact on external trade is particularly severe. While some progress, even though uneven, has been made, landlocked developing countries continue to be marginalized from international trade, which prevents them from fully using trade as an instrument for achieving their development goals;

6. *Stress* that the higher cost of moving goods across borders for landlocked developing countries puts their products at a competitive disadvantage and discourages foreign investment, and that landlocked developing countries continue to face challenges in their efforts to establish efficient transit transport systems, such as inadequate transport infrastructure, insufficient carrying capacity at ports, port and customs clearance delays, transit dependence, fees and obstacles owing to cumbersome customs procedures and other regulatory constraints, an underdeveloped logistics sector, weak legal and institutional arrangements, as well as costly bank transactions. Also, in most cases, the transit neighbours of landlocked developing countries are themselves developing countries, often of broadly similar economic structure and beset by similar scarcities of resources. These challenges need to be urgently addressed through acceleration of the implementation of the specific actions under each of the priorities laid out in the Almaty Programme of Action;

Fundamental transit policy issues

7. *Welcome* the efforts made by many landlocked and transit developing countries to reform their administrative, legal and macroeconomic policies on the basis of an integrated approach to trade and transport. Reform measures have included the liberalization of transit and transport services, accession to relevant international conventions, the establishment of regional intermodal transport corridors and the development of transparent, streamlined and common rules and standards that have strengthened private and public sector dialogue to address the bottlenecks that exist at different segments of transit services. Continued efforts need to be made to ensure the effective implementation of those positive reforms and to ensure that transport strategies and programmes, particularly where they involve the regulation of transport operations or the construction of major new infrastructure, take full account of environmental aspects and development needs to ensure sustainable development at the local and global levels. The international community, including financial and development institutions and donor countries, should provide greater assistance to landlocked and transit developing countries in this regard;

8. *Recognize* the important role of regional cooperation and integration involving landlocked developing countries and their transit neighbours for the effective and integrated solution to cross-border trade and transit transport problems. In this context, we particularly welcome regional initiatives aimed at promoting the development of regional rail and road transit transport networks, such as the agreements on the Asian Highway and Trans-Asian Railway, the New Partnership for Africa's Development Short-term Action Plan on Infrastructure, the Sub-Saharan Africa Transport Policy Programme, the Initiative for the Integration of Regional Infrastructure in South America, the Transport Corridor Europe-Caucasus-Asia, the Africa Infrastructure Country Diagnostic study for infrastructure development in Africa and the Infrastructure Consortium for Africa;

9. *Also recognize* that international conventions on transport and transit, as well as the regional, subregional and bilateral agreements ratified by landlocked and transit developing countries are the main vehicles by which the harmonization, simplification and standardization of rules and documentation can be achieved. We encourage both landlocked developing countries and transit developing countries to effectively implement the provisions of those conventions and agreements;

Transit transport infrastructure development and maintenance

10. *Acknowledge* that, in spite of some improvement in the development of the transit transport infrastructure in landlocked developing countries, inadequate and deteriorating physical infrastructure in rail transport, road transport, ports, inland waterways, pipelines, air transport, and information and communications technology in many landlocked developing countries, along with few harmonized rules and procedures, little cross-border investment and private-sector participation, are the major obstacles to developing viable and predictable transit transport systems. Physical links of landlocked developing countries to the regional transport infrastructure network fall well short of expectations. Missing links are a major problem and need to be addressed urgently;

11. *Recognize* that the construction of transit transport infrastructure, especially the missing links to complete regional networks, and the improvement and maintenance of existing facilities play a key role in the process to achieve the internationally agreed development goals, including the Millennium Development Goals;

12. *Encourage* landlocked and transit developing countries to allocate a greater share of public investment to the

development and maintenance of infrastructure supported by, as appropriate, financial assistance and investment from donors, international financial institutions and development assistance agencies. We note that private sector participation should also be encouraged in this regard;

13. *Emphasize* that the development and improvement of transit transport facilities and services should be integrated into the overall development strategies of the landlocked and transit developing countries and that donor countries should consequently take into account the requirements for the long-term restructuring of the economies of the landlocked developing countries;

International trade and trade facilitation

14. *Note* that some progress, although limited and uneven, has been achieved by landlocked developing countries in the area of international trade;

15. *Express concern* that the share of world merchandise trade of landlocked developing countries has remained small. Most landlocked developing countries are still dependent on the export of a limited number of commodities. Their continued marginalization from the international trading system prevents them from fully using trade as an instrument for achieving the Millennium Development Goals;

16. *Note with concern* that approximately one third of all landlocked developing countries are still outside the rules-based multilateral trading system. Therefore, we stress that the accession of landlocked and transit developing countries to the World Trade Organization should be further accelerated. In this respect, the accession process for landlocked and transit developing countries should take into account their individual level of development, including the special needs and problems caused by geographical disadvantage. The development partners should provide assistance in this matter;

17. *Recognize* that one of the main causes of the marginalization of landlocked developing countries from the international trading system is high trade transaction costs. Therefore, we stress the need for the current negotiations on market access for agricultural and non-agricultural goods to consider giving particular attention to products of special interest to landlocked developing countries;

18. *Reaffirm* that, in accordance with the commitments contained in the Doha Ministerial Declaration,[20] in particular paragraphs 13 and 16 thereof, and the rules of the World Trade Organization, current trade negotiations should give full attention to the needs and interests of developing countries, including landlocked and transit developing countries;

19. *Note* that ongoing World Trade Organization negotiations on trade facilitation, particularly on the relevant articles of the General Agreement on Tariffs and Trade, such as article V on freedom of transit, article VIII on fees and formalities, and article X on transparency, as per the modalities contained in annex D to the decision of the General Council of the World Trade Organization of 1 August 2004,[21] are particularly important for landlocked developing countries to gain a more efficient flow of goods and services as well as the improved international competitiveness that result from lower transaction costs. In this context, technical assistance should be provided to developing countries, in particular, to landlocked developing countries;

20. *Recognize* that some progress has been reached on coordination of border crossings, infrastructure investment, facilities for the storing of merchandise, normative frameworks and other facilities that benefit both landlocked and transit developing countries;

21. *Acknowledge*, however, that a large number of bottlenecks related to trade facilitation persist in many landlocked and transit developing countries. Those bottlenecks need to be urgently addressed. They include: an excessive number of documents required for export/import; the multiplication of scheduled and unscheduled roadblocks; lack of adjacent border controls; unnecessary customs convoys; complicated and non-standardized procedures for customs clearance and inspection; an insufficient application of information and communications technology; non-transparency of trade and customs laws, regulations and procedures; lack of institutional capacities and trained human resources; underdeveloped logistics services; lack of interoperability of transport systems and absence of competition in the transit transport services sector; slow progress in establishing or strengthening national trade and transport facilitation committees; and a low level of adherence to international conventions on transit transport;

International support measures

22. *Acknowledge* the increase in development assistance and debt relief measures in favour of landlocked developing countries. However, we note that much of the official development assistance goes to emergency and food aid. The allocation of development assistance to transport, storage and communications has not changed over the past five years, whereas the need for increased financial support for the construction and maintenance of infrastructure remains valid and urgent. In spite of enhanced Heavily Indebted Poor Countries and Multilateral Debt Relief Initiatives, which have provided debt relief to several landlocked and transit developing

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[20] A/C.2/56/7, annex.

[21] World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.

countries, the debt burden remains high for many of those countries;

23. *Stress* the need to attract private investment, including foreign direct investment. Private sector participation through co-financing can play a catalytic role in this regard. We recall that notwithstanding the increase of flows in foreign direct investment, private sector involvement in infrastructure development still has a considerable potential;

24. *Acknowledge* the increased attention and resources devoted by the United Nations system and international organizations to the challenges facing landlocked and transit developing countries. We recognize with appreciation the progress made towards developing effective monitoring mechanisms to measure the progress in implementation of the Almaty Programme of Action. We appreciate the work undertaken by the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States on a set of macroeconomic, trade and transport indicators, by the Economic and Social Commission for Asia and the Pacific on the time/cost methodology and the World Bank with its Logistics Performance Index and the Doing Business indicators that provide quantifiable data to measure the progress, and emphasize that these efforts should be pursued further;

Future actions to accelerate the implementation of the Almaty Programme of Action

25. *Call upon* landlocked and transit developing countries to undertake the following measures to speed up the implementation of the Almaty Programme of Action:

(*a*) Promote the learning of lessons from existing regional infrastructure initiatives that aim to encourage integrated cross-border infrastructure investment;

(*b*) Further strengthen the legal framework governing transit transport operations, including through full and effective implementation of bilateral, subregional and regional agreements;

(*c*) Promote inter-railway cooperation with a view to facilitating the operation of through trains;

(*d*) Facilitate road transit operations by harmonizing road transit charges, vehicle dimensions, axle load limits and gross vehicle mass, third-party motor insurance schemes and contracts of carriage of goods by road;

(*e*) Effectively implement trade facilitation measures, including the implementation of regional customs transit schemes, the reduction/minimization of the number of trade and transport documents, the harmonization of working hours at national borders, the publication of transit formalities and fees and charges, inter-agency coordination of border control services and the establishment of port communities and promotion of their effective operation;

(*f*) Consider the possibility of negotiating and granting duty-free zones at maritime ports, where this has not been done;

(*g*) Make efforts towards eliminating the practice of customs convoys. For this purpose, negotiate mutually beneficial arrangements to introduce a system of approved secure vehicles for transit operations and, where escort is warranted, arrange daily customs escorts;

(*h*) Take appropriate and effective measures to monitor control agents on road transport corridors in order to reduce roadblocks. In this context, the regional commissions should assist transit developing countries in addressing the issue of diversion of transit goods to domestic markets;

(*i*) Improve border infrastructure facilities and introduce a one-window/one-stop border system along with necessary capacity-building programmes;

(*j*) Make full use of available information and communications technology in order to enhance trade facilitation and to facilitate information sharing between and among transport and trade stakeholders;

(*k*) Widen and deepen public and private sector cooperation and collaboration and, in this context, expand platforms for public-private sector dialogue, such as trade and transport facilitation committees or corridor management committees;

(*l*) Mobilize adequate investment from all sources, including the private sector, for the development and maintenance of transport networks, as well as the construction of missing links;

(*m*) Where appropriate, use mutually beneficial public-private partnerships for securing additional financial resources and modern technological and management systems;

(*n*) Keep abreast of changing technologies and management systems which have an impact on trade and transport. In this context, the expansion of container capacity is urgent in many maritime ports;

(*o*) Consider designating a focal point who would be responsible for the implementation of the Almaty Programme of Action and its coordination at the national level;

26. *Welcome* the proposal to set up in Ulaanbaatar an international think tank to enhance the analytical capability of landlocked developing countries needed to maximize the efficiency of our coordinated efforts for the effective implementation of the internationally agreed provisions, particularly the Almaty Programme of Action and the Millennium Development Goals. For this purpose, we urge international organizations and donor countries to assist them in realizing this initiative;

27. *Call upon* donors and the multilateral, regional, financial and development institutions to provide landlocked and transit developing countries with appropriate, substantial and better coordinated technical and financial assistance, particularly in the form of grants or concessionary loans, for the implementation of the Almaty Programme of Action, in particular for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes and improved communications, to promote subregional, regional and interregional projects and programmes;

28. *Call upon* the development partners to effectively operationalize the Aid for Trade Initiative so as to support trade facilitation measures and trade-related technical assistance, as well as the diversification of export products through the development of small and medium-sized enterprises and private sector involvement in landlocked developing countries;

29. *Encourage* the international community to enhance efforts to facilitate access to and encourage the transfer of technologies related to transit transport systems, including information and communications technology;

30. *Also encourage* the further strengthening of South-South cooperation and triangular cooperation with the involvement of donors, as well as cooperation among subregional and regional organizations in support of landlocked and transit developing countries towards the full and effective implementation of the Almaty Programme of Action;

31. *Call upon* the relevant organizations of the United Nations system, the regional commissions, the United Nations Development Programme and the United Nations Conference on Trade and Development, and invite other international organizations, including the World Bank, the regional development banks, the World Customs Organization, the World Trade Organization, regional economic integration organizations and other relevant regional and subregional organizations, to further integrate the Almaty Programme of Action into their relevant programmes of work, taking into account the midterm review, and encourage them to continue, as appropriate, within their respective mandates, their support to the landlocked and transit developing countries, inter alia, through well-coordinated and coherent technical assistance programmes in transit transport and trade facilitation. In particular, we:

(*a*) Encourage the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to continue to ensure coordinated follow-up and effective monitoring and reporting on the implementation of the Almaty Programme of Action, in line with General Assembly resolution 57/270 B of 23 June 2003, to step up its advocacy efforts to raise international awareness of the Almaty Programme of Action as well as mobilize resources; and to further develop cooperation with the United Nations system organizations in order to ensure the timely and effective implementation of the Programme of Action;

(*b*) Encourage the regional commissions to continue to strengthen their efforts to work with landlocked and transit developing countries in order to develop integrated regional transit transport systems, harmonize regulatory requirements and procedures for import/export and transit with international conventions and standards, promote intermodal transport corridors, encourage accession to and more effective implementation of international conventions on transit transport, and assist in the establishment of national trade and transport facilitation coordination mechanisms and in improving the planning and development of the missing links in regional infrastructure networks, especially in Africa;

(*c*) Encourage the United Nations Conference on Trade and Development to continue to strengthen its technical assistance in the areas of infrastructure and services, transit transport arrangements, electronic commerce and trade facilitation, as well as trade negotiations with and accession to the World Trade Organization. The Division for Africa, Least Developed Countries and Special Programmes should, within its mandate, strengthen its analytical work and technical assistance to the landlocked developing countries. The United Nations Conference on Trade and Development should also develop pragmatic tools and investment guides, as well as identify best practices, to assist the landlocked developing countries in their efforts to attract a larger share of flows of foreign direct investment;

(*d*) Encourage the United Nations Development Programme to enhance its provision of trade-related technical assistance and capacity-building programmes to landlocked developing countries;

(*e*) Invite the World Trade Organization to continue to provide technical assistance to landlocked developing countries in order to enhance their negotiating capabilities;

(*f*) Invite the World Bank to continue to give priority to requests for technical assistance to supplement national and regional efforts to promote the efficient use of existing transit facilities, including the application of information technologies and the simplification of procedures and documents;

(*g*) Invite the World Customs Organization and other relevant international and regional organizations to continue to strengthen the provision of technical assistance and capacity-building programmes to landlocked and transit developing countries in the area of customs reform, the simplification and harmonization of procedures, and enforcement and compliance;

32. *Invite* the General Assembly to consider, at the appropriate time, undertaking the final review of the implementation of the Almaty Programme of Action, in accordance with paragraph 49 thereof.

RESOLUTION 63/3

Adopted at the 22nd plenary meeting, on 8 October 2008, by a recorded vote of 77 to 6, with 74 abstentions,* on the basis of draft resolution A/63/L.2, sponsored by Serbia

* *In favour:* Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Belarus, Bolivia, Botswana, Brazil, Brunei Darussalam, Cambodia, Chile, China, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Fiji, Greece, Guatemala, Guinea, Guyana, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Liechtenstein, Madagascar, Mauritius, Mexico, Montenegro, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Philippines, Romania, Russian Federation, Saint Vincent and the Grenadines, Serbia, Singapore, Slovakia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Timor-Leste, United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam, Zambia, Zimbabwe

Against: Albania, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Afghanistan, Andorra, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bulgaria, Burkina Faso, Cameroon, Canada, Colombia, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Grenada, Haiti, Hungary, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Malta, Monaco, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Oman, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovenia, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Vanuatu, Yemen

63/3. Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law

The General Assembly,

Mindful of the purposes and principles of the United Nations,

Bearing in mind its functions and powers under the Charter of the United Nations,

Recalling that on 17 February 2008 the Provisional Institutions of Self-Government of Kosovo declared independence from Serbia,

Aware that this act has been received with varied reactions by the Members of the United Nations as to its compatibility with the existing international legal order,

Decides, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following question:

> "Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?".

RESOLUTION 63/5

Adopted at the 29th plenary meeting, on 20 October 2008, without a vote, on the basis of draft resolution A/63/L.5 and Add.1, sponsored by: Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Brazil, Bulgaria, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Denmark, Dominica, Fiji, Finland, France, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kenya (on behalf of the States Members of the United Nations that are members of the Group of African States), Kuwait, Liechtenstein, Luxembourg, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Serbia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Suriname, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, United States of America, Uruguay, Venezuela (Bolivarian Republic of)

63/5. Permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade

The General Assembly,

Recalling its resolution 61/19 of 28 November 2006, entitled "Commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade", and its resolution 62/122 of 17 December 2007, entitled "Permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade",

Recalling also the designation of 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, beginning in 2008, as a complement to the existing International Day for the Remembrance of the Slave Trade and its Abolition of the United Nations Educational, Scientific and Cultural Organization,

Noting the initiatives undertaken by States in reaffirming their commitment to implement paragraphs 101 and 102 of the Durban Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance aimed at countering the legacy of slavery and contributing to the restoration of the dignity of the victims of slavery and the slave trade,[22]

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[22] See A/CONF.189/12 and Corr.1, chap. I.

Stressing the importance of educating and informing future generations about the causes, consequences and lessons of slavery and the transatlantic slave trade,

Recognizing how little is known about the four-hundred-year-long transatlantic slave trade and its lasting consequences, felt throughout the world, and welcoming the increased attention that the General Assembly commemoration brought to the issue, including the raising of its profile in many States,

Recalling, in particular, paragraph 101 of the Durban Declaration which, inter alia, invited the international community and its members to honour the memory of the victims,

1. *Welcomes* the initiative of the States members of the Caribbean Community to erect, at a place of prominence at United Nations Headquarters that is easily accessible to delegates, United Nations staff and visitors, a permanent memorial in acknowledgement of the tragedy and in consideration of the legacy of slavery and the transatlantic slave trade;

2. *Also welcomes* the establishment of a committee of interested States to oversee the permanent memorial project, drawn from all geographical regions of the world, with Member States from the Caribbean Community and the African Union playing a primary role, in collaboration with the United Nations Educational, Scientific and Cultural Organization, representatives of the Secretariat, the Schomburg Center for Research in Black Culture of the New York Public Library and civil society;

3. *Notes* that the committee will oversee the voluntary fund established for the erection of the permanent memorial to the victims of slavery and the transatlantic slave trade;

4. *Expresses sincere appreciation* to those Member States that have already made contributions to the fund, and invites Member States and other interested parties that have not done so to do likewise;

5. *Expresses appreciation* to the Secretary-General, the Secretariat and members of the committee for their invaluable support, technical advice and assistance towards implementation of the project;

6. *Reiterates its request* contained in resolution 61/19 for Member States that have not already done so to develop educational programmes, including through school curricula, designed to educate and inculcate in future generations an understanding of the lessons, history and consequences of slavery and the slave trade;

7. *Takes note with appreciation* of the report of the Secretary-General on the programme of outreach on the transatlantic slave trade and slavery,[23] which highlights developments relating to a diverse educational outreach strategy to increase awareness of and to educate future generations about the causes, consequences, lessons and legacy of the four-hundred-year-long slave trade and to communicate the dangers of racism and prejudice, and encourages continued action in this regard;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on continued action to implement the programme of educational outreach, including action by Member States;

9. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Follow-up to the commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade".

RESOLUTION 63/6

Adopted at the 32nd plenary meeting, on 27 October 2008, without a vote, on the basis of draft resolution A/63/L.6 and Add.1, sponsored by: Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, India, Iraq, Ireland, Italy, Japan, Kazakhstan, Kuwait, Latvia, Liechtenstein, Lithuania, Malaysia, Malta, Monaco, Montenegro, New Zealand, Nigeria, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Singapore, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

63/6. Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency for 2007,[24]

Taking note of the statement by the Director General of the International Atomic Energy Agency,[25] in which he provided additional information on the main developments in the activities of the Agency during 2008,

Recognizing the importance of the work of the Agency,

Recognizing also the cooperation between the United Nations and the Agency and the Agreement governing the relationship between the United Nations and the Agency as approved by the General Conference of the Agency on

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[23] A/63/213.

[24] International Atomic Energy Agency, *The Annual Report for 2007* (GC(52)/9); transmitted to the members of the General Assembly by a note by the Secretary-General (A/63/276).

[25] See *Official Records of the General Assembly, Sixty-third Session, Plenary Meetings*, 31st meeting (A/63/PV.31), and corrigendum.

23 October 1957 and by the General Assembly in the annex to its resolution 1145 (XII) of 14 November 1957,

1. *Takes note with appreciation* of the report of the International Atomic Energy Agency;[24]

2. *Takes note* of resolutions GC(52)/RES/9A on measures to strengthen international cooperation in nuclear, radiation, transport and waste safety and GC(52)/RES/9B on transport safety; GC(52)/RES/10 on progress on measures to protect against nuclear and radiological terrorism; GC(52)/RES/11 on strengthening of the Agency's technical cooperation activities; GC(52)/RES/12 on strengthening the Agency's activities related to nuclear science, technology and applications, comprising GC(52)/RES/12A on non-power nuclear applications, GC(52)/RES/12B on nuclear power applications and GC(52)RES/12C on nuclear knowledge; GC(52)/RES/13 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol; GC(52)/RES/14 on the implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons; GC(52)/RES/15 on the application of Agency safeguards in the Middle East; and decisions GC(52)/DEC/9 on the amendment to article XIV.A of the Statute and GC(52)/DEC/10 on cooperation agreements with intergovernmental organizations, adopted by the General Conference of the Agency at its fifty-second regular session, held from 29 September to 4 October 2008;[26]

3. *Reaffirms its strong support* for the indispensable role of the Agency in encouraging and assisting the development and practical application of atomic energy for peaceful uses, in technology transfer to developing countries and in nuclear safety, verification and security;

4. *Appeals* to Member States to continue to support the activities of the Agency;

5. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the sixty-third session of the General Assembly relating to the activities of the Agency.

RESOLUTION 63/7

Adopted at the 33rd plenary meeting, on 29 October 2008, by a recorded vote of 185 to 3, with 2 abstentions,* on the basis of draft resolution A/63/L.4, sponsored by Cuba

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Palau, United States of America

Abstaining: Marshall Islands, Micronesia (Federated States of)

63/7. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments,

Recalling the statements of the Heads of State or Government at the Ibero-American Summits concerning the need to eliminate unilateral application of economic and trade measures by one State against another that affect the free flow of international trade,

Concerned at the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as the "Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

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[26] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Fifty-second Regular Session, 29 September–4 October 2008* (GC(52)/RES/DEC(2008)).

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of measures of the kind referred to above,

Recalling its resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994, 50/10 of 2 November 1995, 51/17 of 12 November 1996, 52/10 of 5 November 1997, 53/4 of 14 October 1998, 54/21 of 9 November 1999, 55/20 of 9 November 2000, 56/9 of 27 November 2001, 57/11 of 12 November 2002, 58/7 of 4 November 2003, 59/11 of 28 October 2004, 60/12 of 8 November 2005, 61/11 of 8 November 2006 and 62/3 of 30 October 2007,

Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11, 60/12, 61/11 and 62/3, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also at the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 62/3;[27]

2. *Reiterates its call upon* all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution, in conformity with their obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation;

3. *Once again urges* States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. *Requests* the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its sixty-fourth session;

5. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

RESOLUTION 63/8

Adopted at the 36th plenary meeting, on 3 November 2008, without a vote, on the basis of draft resolution A/63/L.14 and Add.1, sponsored by: Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Argentina, Australia, Canada, Finland, France, Ireland, Israel, Lebanon, Netherlands, New Zealand, Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland

63/8. Smoke-free United Nations premises

The General Assembly,

Recalling Economic and Social Council resolution 2006/42 of 27 July 2006 and Council decision 2008/231 of 22 July 2008,

Noting with concern the serious harmful impact of second-hand smoke on the health of non-smokers, which can lead to disease, disability and death,

Acknowledging that second-hand smoke at the workplace is a fully preventable occupational health hazard,

Emphasizing the importance of protecting the well-being of individuals in their working environments,

1. *Decides* to implement a complete ban on smoking at United Nations Headquarters indoor premises and on sales of tobacco products at United Nations Headquarters premises;

2. *Recommends* the implementation of a complete ban on smoking at all United Nations indoor premises, including regional and country offices throughout the United Nations system, and the implementation of a complete ban on sales of tobacco products at all United Nations premises;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the measures for the implementation of the present resolution.

RESOLUTION 63/9

Adopted at the 36th plenary meeting, on 3 November 2008, without a vote, on the basis of draft resolution A/63/L.15 and Add.1, sponsored by: Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Austria, Bulgaria, Canada, Denmark, Finland, Ireland, Israel, Italy, Luxembourg, Mozambique, Netherlands, Portugal, Slovakia, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland

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[27] A/63/93 and Add.1.

63/9. Commemoration of the fifteenth anniversary of the International Conference on Population and Development

The General Assembly,

Considering that 2009 will mark the fifteenth anniversary of the International Conference on Population and Development, held in Cairo from 5 to 13 September 1994,

Decides to devote one day, during its sixty-fourth session, to the commemoration of the fifteenth anniversary of the International Conference on Population and Development.

RESOLUTION 63/10

Adopted at the 37th plenary meeting, on 3 November 2008, without a vote, on the basis of draft resolution A/63/L.7 and Add.1, sponsored by: China, Congo, Democratic People's Republic of Korea, Egypt, Gabon, Ghana, India, Indonesia, Iraq, Japan, Jordan, Kenya, Kuwait, Lebanon, Malaysia, Mauritius, Mongolia, Morocco, Myanmar, Nigeria, Oman, Philippines, Senegal, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Turkey, United Arab Emirates, United Republic of Tanzania, Yemen

63/10. Cooperation between the United Nations and the Asian-African Legal Consultative Organization

The General Assembly,

Recalling its resolutions 36/38 of 18 November 1981, 37/8 of 29 October 1982, 38/37 of 5 December 1983, 39/47 of 10 December 1984, 40/60 of 9 December 1985, 41/5 of 17 October 1986, 43/1 of 17 October 1988, 45/4 of 16 October 1990, 47/6 of 21 October 1992, 49/8 of 25 October 1994, 51/11 of 4 November 1996, 53/14 of 29 October 1998, 55/4 of 25 October 2000, 57/36 of 21 November 2002, 59/3 of 22 October 2004 and 61/5 of 20 October 2006,

Having considered the report of the Secretary-General,[28]

Having heard the statement made by the representative of the Asian-African Legal Consultative Organization on the steps taken by the Consultative Organization to ensure continuing, close and effective cooperation between the two organizations,[29]

Acknowledging in particular the close interaction between the Consultative Organization and the Sixth Committee,

1. *Takes note with appreciation* of the report of the Secretary-General;[28]

2. *Recognizes* the continuing efforts of the Asian-African Legal Consultative Organization towards strengthening the role and function of the United Nations and its various organs in enhancing the rule of law and wider adherence to related international instruments;

3. *Notes with satisfaction* the commendable progress achieved towards enhancing cooperation between the United Nations, its agencies, other international organizations and the Consultative Organization;

4. *Notes with appreciation* the work of the Consultative Organization aimed at strengthening the efforts of the United Nations in respect of issues such as combating corruption, international terrorism and trafficking in women and children, as well as human rights issues;

5. *Also notes with appreciation* the initiative and efforts the Consultative Organization has undertaken to promote the objectives and principles set out in the United Nations Millennium Declaration,[30] including wider acceptance of treaties deposited with the Secretary-General;

6. *Recommends* that, with a view to promoting close interaction between the Consultative Organization and the Sixth Committee, the consideration of the sub-item entitled "Cooperation between the United Nations and the Asian-African Legal Consultative Organization" should be scheduled to coincide with the deliberations of the Committee on the work of the International Law Commission;

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on cooperation between the United Nations and the Consultative Organization;

8. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Asian-African Legal Consultative Organization".

RESOLUTION 63/11

Adopted at the 37th plenary meeting, on 3 November 2008, without a vote, on the basis of draft resolution A/63/L.9 and Add.1, sponsored by: Albania, Armenia, Austria, Azerbaijan, Belarus, Bulgaria, Georgia, Greece, Montenegro, Republic of Moldova, Romania, Russian Federation, Serbia, Turkey, Ukraine, United States of America

63/11. Cooperation between the United Nations and the Black Sea Economic Cooperation Organization

The General Assembly,

Recalling its resolution 54/5 of 8 October 1999, by which it granted observer status to the Black Sea Economic Cooperation Organization, as well as its resolutions 55/211 of

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[28] A/63/228-S/2008/531 and Corr.1, sect. II.B.

[29] See *Official Records of the General Assembly, Sixty-third Session, Plenary Meetings*, 37th meeting (A/63/PV.37), and corrigendum.

[30] See resolution 55/2.

20 December 2000, 57/34 of 21 November 2002, 59/259 of 23 December 2004 and 61/4 of 20 October 2006 on cooperation between the United Nations and the Black Sea Economic Cooperation Organization,

Recalling also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social or humanitarian nature,

Recalling further the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Recalling its Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security of 9 December 1994,[31]

Recognizing that any dispute or conflict in the region impedes cooperation, and stressing the need to solve such a dispute or conflict on the basis of the norms and principles of international law,

Convinced that the strengthening of cooperation between the United Nations and other organizations contributes to the promotion of the purposes and principles of the United Nations,

Recalling the report of the Secretary-General submitted pursuant to resolution 61/4,[32]

1. *Takes note* of the Declaration adopted by the Heads of State and Government of the States members of the Black Sea Economic Cooperation Organization on the occasion of the Fifteenth Anniversary Summit of the Organization, held in Istanbul, Turkey, on 25 June 2007;

2. *Reiterates* the conviction that multilateral economic cooperation contributes to enhancing peace, stability and security to the benefit of the Black Sea region;

3. *Welcomes* the efforts towards the completion of the process of reforms in the Black Sea Economic Cooperation Organization envisaged in the Bucharest statement of 26 April 2006, issued by the Council of Ministers for Foreign Affairs of the States members of the Organization, thus contributing to the enhancement of the efficiency and effectiveness of the Organization, as well as its role in the economic and social development of its member States;

4. *Takes note* of the resolve of the Black Sea Economic Cooperation Organization to foster a pragmatic and project- and results-oriented approach in the spheres of common interest for its member States, where improved regional cooperation could create synergies and increase the efficiency of resources used;

5. *Welcomes* the activities of the Black Sea Economic Cooperation Organization aimed at strengthening regional cooperation in fields such as energy, transport, institutional reform and good governance, trade and economic development, banking and finance, communications, agriculture and agro-industry, health care and pharmaceuticals, environmental protection, tourism, science and technology, exchange of statistical data and economic information, collaboration among Customs services, and combating organized crime and illicit trafficking in drugs, weapons and radioactive material, acts of terrorism and illegal migration, and in other related areas;

6. *Also welcomes* the efforts of the Black Sea Economic Cooperation Organization to elaborate and realize concrete joint regional projects, particularly in the fields of energy and transport, which will contribute to the development of the Euro-Asian transport links;

7. *Takes note*, within this framework, of the signing in Belgrade on 19 April 2007 of the memorandum of understanding for the coordinated development of the Black Sea Ring Highway and the memorandum of understanding on the development of the Motorways of the Sea at the Black Sea Economic Cooperation Organization region;

8. *Welcomes* the financing of projects by the Project Development Fund of the Black Sea Economic Cooperation Organization to the benefit of the sustainable development of the Black Sea region;

9. *Appeals* for greater cooperation between the Black Sea Economic Cooperation Organization and international financial institutions in co-financing feasibility and pre-feasibility studies of the projects in the wider Black Sea area;

10. *Takes note* of the positive contributions of the Parliamentary Assembly of the Black Sea Economic Cooperation Organization, the Business Council, the Black Sea Trade and Development Bank and the International Centre for Black Sea Studies to the strengthening of multifaceted regional cooperation in the wider Black Sea area;

11. *Also takes note* of the enhanced cooperation between the Black Sea Economic Cooperation Organization and the Economic Commission for Europe, the United Nations Development Programme and the United Nations Industrial Development Organization and the working contacts of the Black Sea Economic Cooperation Organization with the World Bank, the United Nations Children's Fund and the World Health Organization, aimed at promoting the sustainable development of the region of the Black Sea Economic Cooperation Organization;

12. *Welcomes* the multifaceted and fruitful cooperation between the Black Sea Economic Cooperation Organization and the Economic Commission for Europe, especially in the

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[31] Resolution 49/57, annex.

[32] A/63/228-S/2008/531 and Corr.1, sect. II.D.

area of transport, within the framework of the Cooperation Agreement signed between the two organizations on 2 July 2001;

13. *Also welcomes* the launching of the Black Sea Trade and Investment Promotion Programme, the first partnership project between the Black Sea Economic Cooperation Organization and the United Nations Development Programme, on 1 December 2006,[33] and the signing of the cooperation agreement between the two organizations in Istanbul on 28 June 2007;

14. *Takes note* of the establishment of cooperation between the Black Sea Economic Cooperation Organization and the International Centre for Hydrogen Energy Technologies of the United Nations Industrial Development Organization, with emphasis placed on energy and environment;

15. *Also takes note* of the increased cooperation between the Black Sea Economic Cooperation Organization and the United Nations Office on Drugs and Crime and, within this framework, welcomes the launching on 1 September 2007 of the joint Black Sea Economic Cooperation Organization-United Nations Office on Drugs and Crime project on strengthening the criminal justice response to trafficking in persons in the Black Sea region;

16. *Acknowledges* the commitment of the Black Sea Economic Cooperation Organization to contributing to the attainment of the Millennium Development Goals at national, regional and global levels;

17. *Takes note* of the intensified cooperation between the Black Sea Economic Cooperation Organization and the European Union, and supports the efforts of the Organization to take concrete steps to advance this cooperation in line with the provisions of the Declaration of 14 February 2008 on a Black Sea Economic Cooperation Organization-European Union Enhanced Relationship, issued by the Council of Ministers for Foreign Affairs of the States members of the Organization;

18. *Also takes note* of the cooperation established between the Black Sea Economic Cooperation Organization and other regional organizations and initiatives;

19. *Invites* the Secretary-General to strengthen dialogue with the Black Sea Economic Cooperation Organization with a view to promoting cooperation and coordination between the two secretariats;

20. *Invites* the specialized agencies and other organizations and programmes of the United Nations system to cooperate with the Black Sea Economic Cooperation Organization in order to continue programmes with the Organization and its associated institutions for the achievement of their objectives;

21. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Black Sea Economic Cooperation Organization".

RESOLUTION 63/12

Adopted at the 37th plenary meeting, on 3 November 2008, without a vote, on the basis of draft resolution A/63/L.10 and Add.1, sponsored by: Argentina, Barbados, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Uruguay, Venezuela (Bolivarian Republic of)

63/12. Cooperation between the United Nations and the Latin American and Caribbean Economic System

The General Assembly,

Recalling its resolution 59/258 of 23 December 2004 on cooperation between the United Nations and the Latin American Economic System,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[34]

Bearing in mind the Agreement between the United Nations and the Latin American Economic System,[35] in which the parties agree to strengthen and expand their cooperation in matters that are of common concern in the fields of their respective competence pursuant to their constitutional instruments,

Noting that cooperation between the Latin American and Caribbean Economic System and the United Nations has been evolving over the last few years and diversifying with regard to areas of cooperation,

Welcoming the evolution in the treatment of topics relating to the United Nations system, in close contact with the delegations of the Member States participating in such deliberations,

1. *Takes note* of the holding of the thirty-third regular meeting of the Latin American Council of the Latin American and Caribbean Economic System from 26 to 28 November 2007;

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[33] Available from www.undpforblacksea.org.

[34] A/63/228-S/2008/531 and Corr.1.

[35] United Nations, *Treaty Series*, vol. 1651, No. 1061.

2. *Urges* the Economic Commission for Latin America and the Caribbean to continue deepening its coordination and mutual support activities with the Latin American and Caribbean Economic System;

3. *Urges* the specialized agencies and other organizations, funds and programmes of the United Nations system, in particular, the Food and Agriculture Organization of the United Nations, the International Organization for Migration, the World Health Organization, the United Nations Industrial Development Organization, the World Food Programme, the United Nations Development Programme, the United Nations Conference on Trade and Development, the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund, to continue and intensify their support for and to strengthen their cooperation with activities of the Latin American and Caribbean Economic System and to contribute to joint actions to achieve the internationally agreed development objectives, including those contained in the United Nations Millennium Declaration,[36] in Latin America and the Caribbean;

4. *Requests* the Secretary-General of the United Nations and the Permanent Secretary of the Latin American and Caribbean Economic System to assess, at the appropriate time, the implementation of the Agreement between the United Nations and the Latin American Economic System[35] and to report thereon to the General Assembly at its sixty-fifth session;

5. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution.

RESOLUTION 63/13

Adopted at the 37th plenary meeting, on 3 November 2008, by a recorded vote of 64 to 1, with no abstentions,* on the basis of draft resolution A/63/L.11, sponsored by Sweden

* *In favour:* Albania, Argentina, Australia, Austria, Bahrain, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burundi, Cambodia, China, Congo, Croatia, Cuba, Cyprus, Czech Republic, Djibouti, Dominican Republic, Egypt, Estonia, Finland, France, Germany, Greece, Guatemala, Guinea, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Mexico, Mongolia, Montenegro, Myanmar, New Zealand, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Togo, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia

Against: United States of America

Abstaining: None

63/13. Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

The General Assembly,

Taking note of the report of the Secretary-General,[37]

Taking note also of the report of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,[38]

Decides to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization".

RESOLUTION 63/14

Adopted at the 37th plenary meeting, on 3 November 2008, without a vote, on the basis of draft resolution A/63/L.12 and Add.1, sponsored by: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland

63/14. Cooperation between the United Nations and the Council of Europe

The General Assembly,

Recalling the Agreement between the Council of Europe and the Secretariat of the United Nations signed on 15 December 1951 and the Arrangement on Cooperation and Liaison between the Secretariats of the United Nations and the Council of Europe of 19 November 1971,

Recalling also its previous resolutions on cooperation between the United Nations and the Council of Europe,

Recalling further the sixtieth anniversary of the Universal Declaration of Human Rights,[39] in 2008, and noting the sixtieth anniversary of the European Convention for the Protection of Human Rights and Fundamental Freedoms,[40] in 2010,

Acknowledging the contribution of the Council of Europe, at the European level, to the protection and strengthening of human rights and fundamental freedoms, democracy and the rule of law through its standards, principles and monitoring mechanisms, as well as to the effective implementation of all relevant international legal instruments of the United Nations,

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[36] See resolution 55/2.

[37] See A/63/228-S/2008/531 and Corr.1, sect. IV.

[38] See A/63/156.

[39] Resolution 217 A (III).

[40] Council of Europe, *European Treaty Series*, No. 5.

Taking note of the contribution of the Council of Europe to the universal periodic review by the Human Rights Council of the situation of human rights in States members of the Council of Europe,

Welcoming the declaration of the Council of Europe to improve the protection of human rights defenders and promote their activities within the European sphere,

Acknowledging the contribution of the Council of Europe to the development of international law, and noting that a number of legal instruments of the Council are open to the participation of States of other regions,

Acknowledging also the continued interest of the Parliamentary Assembly of the Council of Europe in the ongoing reform process of the United Nations,

Welcoming the increasingly close relations between the United Nations and the Council of Europe,

Noting with appreciation the report of the Secretary-General,[41]

1. *Calls for* the reinforcement of cooperation and synergies with the Council of Europe regarding the protection of human rights and fundamental freedoms, inter alia, the promotion of democracy and the rule of law, the prevention of torture, the fight against trafficking in human beings, the fight against racism, discrimination, xenophobia and intolerance, the promotion of gender equality and the protection of the rights of persons belonging to minorities;

2. *Recognizes* the important role of the European Court of Human Rights in protecting human rights as the guardian of the implementation of the European Convention on Human Rights,[40] which applies to the eight hundred million individuals in the forty-seven States members of the Council of Europe, and invites the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights to strengthen their cooperation with the Council of Europe, including its Commissioner for Human Rights, in promoting respect for human rights, while encouraging close cooperation with the Special Representative of the Secretary-General on human rights defenders;

3. *Encourages* further cooperation, where appropriate, between the United Nations and the Council of Europe through their mechanisms regarding the prevention of torture and inhuman or degrading treatment or punishment;

4. *Supports* the development of cooperation, where appropriate, between the United Nations Peacebuilding Commission and the Council of Europe, with a view to promoting post-conflict reconstruction and development and the consolidation of peace, with full respect for human rights and the rule of law;

5. *Takes note with appreciation* of the entry into force on 1 February 2008 of the Council of Europe Convention on Action against Trafficking in Human Beings,[42] to which any non-member State of the Council of Europe may accede after having obtained unanimous consent of the parties to the Convention, commends the enhanced cooperation between the United Nations and the Council of Europe in this regard, and expresses its appreciation for the preparation of a joint study on trafficking in organs and tissues, including trafficking in persons for the purpose of the removal of organs;

6. *Encourages* further cooperation between the Office of the United Nations High Commissioner for Refugees and the Council of Europe in the field of nationality, in particular in the prevention and reduction of statelessness, and in the protection and promotion of the rights of refugees, asylum-seekers and internally displaced persons;

7. *Also encourages* further cooperation between the United Nations and the Council of Europe in the area of democracy and good governance, and in particular with regard to the International Day of Democracy, inter alia, through the Venice Commission and the Forum for the Future of Democracy, and through the strengthening of links between the United Nations Decade of Education for Sustainable Development and the Council of Europe Project on Education for Democratic Citizenship and Human Rights;

8. *Welcomes* the signing of a joint declaration between the United Nations Children's Fund and the Council of Europe to further cooperation on the protection and promotion of the rights of the child;

9. *Notes with appreciation* the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence, and calls for increased cooperation regarding all forms of violence against women, in the framework of the Secretary-General's campaign to end violence against women;

10. *Recognizes* the fruitful cooperation between the United Nations missions and the field offices of the Council of Europe;

11. *Takes note* of the contribution of the Council of Europe to the implementation of Security Council resolutions 1373 (2001) of 28 September 2001 and 1624 (2005) of 14 September 2005, and welcomes the entry into force on

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[41] A/63/228-S/2008/531 and Corr.1, sect. II.G.

[42] *Council of Europe Treaty Series*, No. 197.

1 June 2007 of the Council of Europe Convention on the Prevention of Terrorism[43] and on 1 May 2008 of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism,[44] and encourages the Council of Europe to promote the implementation of the United Nations Global Counter-Terrorism Strategy[45] while protecting human rights;

12. *Encourages* further cooperation between the two organizations regarding the fight against transnational organized crime, cybercrime, corruption and money-laundering, as well as regarding the protection of the rights of victims of crime and the promotion of human rights and the rule of law in the information society, and takes note of the contribution of the Council of Europe to the Internet Governance Forum and the Council of Europe Convention on Cybercrime[46] and the Additional Protocol thereto;[47]

13. *Notes* the interaction between the Council of Europe and the Sixth Committee of the General Assembly and with the International Law Commission, and encourages cooperation between the Council of Europe and the Rule of Law Coordination and Resource Group with the purpose of strengthening the rule of law;

14. *Encourages* further cooperation between the United Nations and its specialized agencies, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization and the Council of Europe;

15. *Reiterates its support* for cooperation between the two organizations in the social field, in particular concerning the protection and promotion of the rights of persons with disabilities, combating poverty and social exclusion and ensuring equal access to economic, social and cultural rights for all;

16. *Encourages* joint action between the United Nations Educational, Scientific and Cultural Organization and the Council of Europe in the context of the follow-up to the Faro Platform, takes note of the intention of the Council of Europe to work in close cooperation with the Alliance of Civilizations, a forum for intercultural dialogue created under the auspices of the United Nations, on the basis of a memorandum of understanding, and welcomes the role of the North-South Centre;

17. *Requests* the Secretaries-General of the United Nations and the Council of Europe to combine their efforts in seeking answers to global challenges, within their respective mandates, and calls upon all relevant United Nations bodies to support the enhancement of cooperation with the Council of Europe in the areas mentioned above;

18. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Council of Europe", and requests the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on cooperation between the United Nations and the Council of Europe in implementation of the present resolution.

RESOLUTION 63/15

Adopted at the 37th plenary meeting, on 3 November 2008, without a vote, on the basis of draft resolution A/63/L.13 and Add.1, sponsored by: Armenia, Belarus, Kazakhstan, Kyrgyzstan, Mongolia, Philippines, Russian Federation, Tajikistan, Thailand

63/15. Cooperation between the United Nations and the Eurasian Economic Community

The General Assembly,

Recalling its resolutions 58/84 of 9 December 2003, in which it granted the Eurasian Economic Community observer status in the General Assembly, and 62/79 of 6 December 2007 on cooperation between the United Nations and the Eurasian Economic Community,

Recalling also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural and humanitarian nature,

Recalling further the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Taking note of the fact that the membership of the Eurasian Economic Community includes countries with economies in transition, and recalling in this regard its resolution 61/210 of 20 December 2006, in which it invited the United Nations system to enhance dialogue with and increase support to the regional and subregional cooperation organizations whose membership includes countries with economies in transition and whose efforts include assisting their members to fully integrate into the world economy,

Noting that the Treaty on the Establishment of the Eurasian Economic Community[48] reaffirms the commitment of the States members of the Community to the principles of the Charter and also to the generally accepted principles and norms of international law,

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[43] Ibid., No. 196.

[44] Ibid., No. 198.

[45] Resolution 60/288.

[46] Council of Europe, *European Treaty Series*, No. 185.

[47] Ibid., No. 189.

[48] United Nations, *Treaty Series*, vol. 2212, No. 39321.

Convinced that the strengthening of cooperation between the United Nations and other organizations of the United Nations system and the Eurasian Economic Community contributes to the promotion of the purposes and principles of the United Nations,

Expressing concern over the persistent natural disasters in countries of the region,

Recognizing that the issues of water and energy resources management, as well as the development, dissemination and transfer of technologies, have particular importance for the sustainable development of the countries members of the Eurasian Economic Community,

Recognizing also that the Eurasian Economic Community includes some landlocked countries, and in this regard underlining the key role of regional integration institutions such as the Eurasian Economic Community in the implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,[49]

1. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 62/79,[50] and expresses satisfaction with regard to the mutually beneficial interaction between the United Nations and the Eurasian Economic Community;

2. *Also takes note* of the activities of the Eurasian Economic Community in support of United Nations goals through the strengthening of regional cooperation in such areas as trade and economic development, the establishment of a customs union, energy, transport, agriculture and agro-industry, the regulation of migration, banking and finance, communications, education, health care and pharmaceuticals, biotechnology, environmental protection and natural disaster risk reduction;

3. *Commends* the commitment of the States members of the Eurasian Economic Community to scaling up regional economic integration by establishing a customs union and free-trade zone, consistent with the multilateral trading system, as well as the formation of a common energy market;

4. *Notes with appreciation* the progress achieved in cooperation between the Eurasian Economic Community and the Economic Commission for Europe, the Economic and Social Commission for Asia and the Pacific and the United Nations Development Programme, including in the fields of water and energy resources management, the development, dissemination and transfer of technologies, trade facilitation, transport and capacity-building, promoting effective interaction within the framework of the United Nations Special Programme for the Economies of Central Asia;

5. *Underlines* the importance of further strengthening dialogue, cooperation and coordination between the United Nations system and the Eurasian Economic Community, and invites the Secretary-General of the United Nations to continue conducting, to this end, regular consultations with the Secretary-General of the Eurasian Economic Community, within existing resources, using for this purpose the relevant inter-institutional forums and formats, including the annual consultations between the Secretary-General of the United Nations and heads of regional organizations;

6. *Invites* the specialized agencies and other organizations, programmes and funds of the United Nations system, as well as international financial institutions, to enhance cooperation and direct contacts with the Eurasian Economic Community for the purpose of undertaking joint implementation of programmes to achieve their goals;

7. *Invites in particular* the Economic Commission for Europe, the Economic and Social Commission for Asia and the Pacific and other related organizations of the United Nations system to further contribute to the development by the Eurasian Economic Community of a concept for the effective use of water and energy resources in States members of the Community as well as to the resolution of water-related disaster risk reduction issues in the region;

8. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Eurasian Economic Community".

RESOLUTION 63/16

Adopted at the 41st plenary meeting, on 7 November 2008, without a vote, on the basis of draft resolution A/63/L.16 and Add.1, sponsored by: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, China, Costa Rica, Croatia, Cuba (on behalf of the States Members of the United Nations that are members of the Non-Aligned Movement), Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

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[49] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF. 202/3), annex I.

[50] See A/63/228-S/2008/531 and Corr.1, sect. II.I.

63/16. Sixtieth anniversary of United Nations peacekeeping

The General Assembly

Adopts the Declaration on the Occasion of the Sixtieth Anniversary of United Nations Peacekeeping, as set out in the annex to the present resolution.

Annex

Declaration on the Occasion of the Sixtieth Anniversary of United Nations Peacekeeping

We, the States Members of the United Nations, recall with pride the awarding of the 1988 Nobel Peace Prize to the United Nations peacekeeping forces. Today, peacekeeping is the flagship activity of the United Nations, helping to restore peace and stability and bringing hope to millions of people in various regions around the world affected by conflicts. We pay tribute to the hundreds of thousands of men and women who, in the past sixty years, have served under the United Nations flag in more than sixty peacekeeping operations around the world, and we honour the memory of more than 2,400 United Nations peacekeepers who gave their lives in the cause of peace. We also commend the efforts made by United Nations and related personnel who are currently performing their duties in peacekeeping operations.

We reiterate our strong support for all measures undertaken to effectively promote the safety and security of United Nations peacekeeping personnel. We, the States Members of the United Nations, reaffirm our commitment and willingness to provide full support to United Nations peacekeepers, to ensure that they are able to successfully and safely fulfil the tasks entrusted to them.

RESOLUTION 63/17

Adopted at the 42nd plenary meeting, on 10 November 2008, without a vote, on the basis of draft resolution A/63/L.20 and Add.1, sponsored by: Algeria, Bahrain, Bosnia and Herzegovina, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen

63/17. Cooperation between the United Nations and the League of Arab States

The General Assembly,

Recalling its previous resolutions on cooperation between the United Nations and the League of Arab States,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[51]

Recalling article 3 of the Pact of the League of Arab States,[52] which entrusts the Council of the League with the function of determining the means whereby the League will collaborate with the international organizations which may be created in the future to guarantee peace and security and organize economic and social relations,

Noting the desire of both organizations to consolidate, develop and enhance further the ties existing between them in the political, economic, social, humanitarian, cultural, technical and administrative fields,

Taking into account the report of the Secretary-General entitled "An Agenda for Peace",[53] in particular section VII concerning cooperation with regional arrangements and organizations, and the "Supplement to an Agenda for Peace",[54]

Convinced of the need for more efficient and coordinated utilization of available economic and financial resources in order to promote the common objectives of the two organizations,

Recognizing the need for the further strengthening of cooperation between the United Nations system and the League of Arab States and its specialized organizations for the realization of the common goals and objectives of the two organizations,

1. *Takes note with satisfaction* of the report of the Secretary-General;[51]

2. *Commends* the continued efforts of the League of Arab States to promote multilateral cooperation among Arab States, and requests the United Nations system to continue to lend its support;

3. *Expresses its appreciation* to the Secretary-General for the follow-up action taken by him to implement the proposals adopted at the meetings between representatives of the Secretariat of the United Nations and other organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations, including the sectoral meeting in 2005 on the theme "Achieving and financing the Millennium Development Goals and sustainable development in the Arab region" and the general meeting on cooperation held in 2006;

4. *Requests* the Secretariat of the United Nations and the General Secretariat of the League of Arab States, within

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[51] A/63/228-S/2008/531 and Corr.1.

[52] United Nations, *Treaty Series*, vol. 70, No. 241.

[53] A/47/277-S/24111.

[54] A/50/60-S/1995/1.

their respective fields of competence, to intensify further their cooperation for the realization of the purposes and principles embodied in the Charter of the United Nations, the strengthening of international peace and security, economic and social development, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination;

5. *Requests* the Secretary-General to continue his efforts to strengthen cooperation and coordination between the United Nations and other organizations and agencies of the United Nations system and the League of Arab States and its specialized organizations in order to enhance their capacity to serve the mutual interests and objectives of the two organizations in the political, economic, social, humanitarian, cultural and administrative fields;

6. *Calls upon* the specialized agencies and other organizations and programmes of the United Nations system:

(*a*) To continue to cooperate with the Secretary-General and among themselves, as well as with the League of Arab States and its specialized organizations, in the follow-up of multilateral proposals aimed at strengthening and expanding cooperation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

(*b*) To strengthen the capacity of the League of Arab States and of its institutions and specialized organizations to benefit from globalization and information technology and to meet the development challenges of the new millennium;

(*c*) To step up cooperation and coordination with the specialized organizations of the League of Arab States in the organization of seminars and training courses and in the preparation of studies;

(*d*) To maintain and increase contacts and improve the mechanism of consultation with the counterpart programmes, organizations and agencies concerned regarding projects and programmes in order to facilitate their implementation;

(*e*) To participate whenever possible with organizations and institutions of the League of Arab States in the execution and implementation of development projects in the Arab region;

(*f*) To inform the Secretary-General of the progress made in their cooperation with the League of Arab States and its specialized organizations and, in particular, of the follow-up action taken on the multilateral and bilateral proposals adopted at the previous meetings between the two organizations;

7. *Also calls upon* the specialized agencies and other organizations and programmes of the United Nations system to increase their cooperation with the League of Arab States and its specialized organizations in the priority sectors of energy, rural development, desertification and green belts, training and vocational education, technology, environment, information and documentation, trade and finance, water resources, development of the agricultural sector, empowerment of women, transport, communications and information, promotion of the role of the private sector and capacity-building;

8. *Requests* the Secretary-General of the United Nations, in cooperation with the Secretary-General of the League of Arab States, to encourage periodic consultation between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States in order to review and strengthen coordination mechanisms with a view to accelerating implementation of, and follow-up action on, the multilateral projects, proposals and recommendations adopted at the meetings between the two organizations;

9. *Recommends* that the United Nations and all organizations of the United Nations system make the greatest possible use of Arab institutions and technical expertise in projects undertaken in the Arab region;

10. *Reaffirms* that, in order to enhance cooperation and for the purpose of the review and appraisal of progress, a general meeting between representatives of the United Nations system and the League of Arab States should be held once every two years and that joint inter-agency sectoral meetings should also be convened on a biennial basis to address priority areas of major importance to the development of Arab States, on the basis of agreement between the United Nations system and the League of Arab States and its specialized organizations;

11. *Also reaffirms* the importance of holding the sectoral meeting between the United Nations and the League of Arab States and its specialized organizations during 2009 and also of holding the general meeting on cooperation between representatives of the secretariats of the organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations during 2010;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the League of Arab States".

RESOLUTION 63/18

Adopted at the 42nd plenary meeting, on 10 November 2008, without a vote, on the basis of draft resolution A/63/L.17 and Add.1, sponsored by: Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, China, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, Norway, Oman, Pakistan, Palau, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Seychelles, Slovakia, Slovenia, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Yemen

63/18. The situation in Afghanistan

The General Assembly,

Recalling its resolution 62/6 of 5 November 2007 and all its previous relevant resolutions,

Recalling also all relevant Security Council resolutions and statements by the President of the Council on the situation in Afghanistan, in particular resolutions 1659 (2006) of 15 February 2006, 1806 (2008) of 20 March 2008, 1817 (2008) of 11 June 2008 and 1833 (2008) of 22 September 2008, as well as the statement by the President of the Council of 11 July 2008,[55]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and respecting its multicultural, multi-ethnic and historical heritage,

Reaffirming its continued support for the implementation of the Afghanistan Compact of 31 January 2006,[56] which provides the framework for the partnership between the Government of Afghanistan and the international community, and recalling in this regard the spirit and the provisions of the Bonn Agreement of 5 December 2001[57] and the Berlin Declaration, including the annexes thereto, of 1 April 2004,[58]

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance and development, as well as the cross-cutting theme of counter-narcotics, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges in a coherent manner,

Reiterating the urgent need to tackle the challenges in Afghanistan, in particular the increased violent criminal and terrorist activities by the Taliban, Al-Qaida, illegal armed groups and those involved in the narcotics trade, in particular in the south and east, and the development of Afghan Government institutions, including at the subnational level, the strengthening of the rule of law, the acceleration of justice sector reform, the promotion of national reconciliation, without prejudice to the fulfilment of the measures introduced by the Security Council in its resolution 1267 (1999) of 15 October 1999 and other relevant resolutions, and an Afghan-led transitional justice process, the safe and voluntary return of Afghan refugees and internally displaced persons in an orderly and dignified manner, the promotion and protection of human rights and the advancement of economic and social development,

Condemning, in the strongest terms, all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces, and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemning further the use by the Taliban, Al-Qaida and other extremist and criminal groups of civilians as human shields,

Deeply concerned about the recent increase in violence in Afghanistan, in particular in the south and east, recognizing the increased threats posed by the Taliban, Al-Qaida and other extremist and criminal groups as well as the challenges related to the efforts to address such threats, expressing its serious concern about the high number of civilian casualties, noting relevant statements of Afghan authorities and high-ranking United Nations officials, as well as statements to the press by the President of the Security Council in this regard, and calling for compliance with international humanitarian and human rights law and for all appropriate measures to be taken to ensure the protection of civilians,

Recognizing the efforts made by the International Security Assistance Force and other international forces to minimize the risk of civilian casualties, and calling upon them to make additional robust efforts in this regard, notably by the continuous review of tactics and procedures and the conduct of after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate,

Noting the importance of the national Government being representative of the ethnic diversity of the country and ensuring also the full and equal participation of women,

1. *Stresses* the central and impartial role of the United Nations in promoting peace and stability in Afghanistan, expresses its appreciation and strong support for all efforts of the Secretary-General and his Special Representative in this regard, and welcomes the leading role of the United Nations Assistance Mission in Afghanistan in the coordination of the international civilian effort, guided by the principle of reinforcing Afghan ownership and leadership;

2. *Welcomes* the Declaration of the Paris Conference of 12 June 2008[58] and the additional international support as pledged, reaffirms that the Afghanistan Compact, including the

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[55] S/PRST/2008/26; see *Resolutions and Decisions of the Security Council, 1 August 2007–31 July 2008.*

[56] S/2006/90, annex.

[57] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (see S/2001/1154).

[58] Available from www.unama-afg.org.

annexes thereto,[56] remains the agreed basis for the work of both Afghanistan and the international community, welcomes the launching of the Afghanistan National Development Strategy, which reflects, inter alia, increased Afghan ownership and responsibility, and welcomes the Afghan commitment to pursue political and economic reform;

3. *Also welcomes* the reports of the Secretary-General[59] and the recommendations contained therein;

4. *Expresses its strong concern* about the security situation in Afghanistan, stresses the need to continue to address the threat to the security and stability of Afghanistan caused by increased violent and terrorist activity by the Taliban, Al-Qaida and other extremist and criminal groups, including those involved in the narcotics trade, and strongly condemns all acts of violence and intimidation committed in Afghanistan, in particular in the southern and eastern parts, including suicide attacks;

5. *Expresses in this regard deep regret* at the resulting loss of life and physical harm inflicted upon Afghan civilians and civilians of other nationalities, including the personnel of Afghan and international agencies and all other humanitarian workers and the diplomatic corps, as well as upon the personnel of the Afghan National Security Forces, the International Security Assistance Force and the Operation Enduring Freedom coalition;

6. *Stresses* the need for the Government of Afghanistan and the international community to continue to work closely together in countering these challenges of terrorist attacks by the Taliban, Al-Qaida and other extremist and criminal groups, which are threatening the democratic process as well as the reconstruction and economic development of Afghanistan, and reiterates in this regard its call for full implementation of measures introduced in relevant Security Council resolutions, in particular resolution 1267 (1999);

7. *Notes with concern* that the security situation is causing some organizations to cease or curtail their humanitarian and development work in some parts of Afghanistan;

8. *Stresses* the importance of the provision of sufficient security, welcomes the presence of the Force throughout Afghanistan, and calls upon Member States to continue contributing personnel, equipment and other resources to the Force and to further develop the provincial reconstruction teams in close coordination with the Government of Afghanistan and the Mission;

9. *Notes*, in the context of the comprehensive approach, the synergies in the objectives of the Mission and the Force;

10. *Also notes* that the responsibility for providing security and law and order throughout the country resides with the Government of Afghanistan supported by the Force and the Operation Enduring Freedom coalition, and recognizes the institutional progress achieved in this respect and the continued coordination between the Force and the coalition;

11. *Stresses* the importance of further extending central government authority, including the presence of Afghan security forces, to all provinces of Afghanistan;

12. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including through the Operation Enduring Freedom coalition and the Force, in accordance with their respective designated responsibilities, to continue to address the threat to the security and stability of Afghanistan;

13. *Commends* the Afghan National Army and the Afghan National Police, the Force and the Operation Enduring Freedom coalition for their efforts to improve security conditions in Afghanistan;

14. *Welcomes* the continued development of the Afghan National Army and the Afghan National Police, recognizes the international support provided, calls for intensified Afghan and international efforts to modernize and strengthen both institutions and related Government departments, with particular attention to the Afghan National Police which continues to face challenges in its development, and welcomes in this regard the continued deployment of the European Union Police Mission in Afghanistan and the focused district development and in-district reform programmes;

15. *Acknowledges*, in this context, that the Afghan National Army and the Afghan National Police require additional support to enhance their capability and professionalism, including through the provision of increased training and mentoring, more modern equipment and infrastructure, and continued salary support;

16. *Urges* the Afghan authorities to take all possible steps to ensure the safety, security and free movement of all United Nations, development and humanitarian personnel, and their safe and unhindered access to all affected populations, and to protect the property of the United Nations and of development or humanitarian organizations;

17. *Also urges* the Afghan authorities to make every effort, in accordance with General Assembly resolution 60/123 of 15 December 2005, to bring to justice the perpetrators of attacks;

18. *Stresses* the importance of advancing the full implementation of the programme of disbandment of illegal armed groups throughout the country under Afghan ownership, while ensuring coordination and coherence with other relevant efforts, including security sector reform, community development, counter-narcotics, district-level development and

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[59] A/62/722-S/2008/159, S/2008/434 and A/63/372-S/2008/617.

Afghan-led initiatives to ensure that entities and individuals do not illegally participate in the political process, including elections in 2009 and 2010, in accordance with adopted laws and regulations in Afghanistan, and calls for adequate support in order for the Ministry of the Interior to increasingly assume its leading role in implementing the programme of disbandment of illegal armed groups;

19. *Welcomes* the commitment of the Government of Afghanistan to stand firm on the disbandment of illegal armed groups and to work actively at national, provincial and local levels to advance this commitment, stresses, in this regard, all efforts to create sufficient legal income-earning opportunities, and calls for continued international support for these efforts;

20. *Remains deeply concerned* about the problem of millions of anti-personnel landmines and explosive remnants of war, which constitute a great danger for the population and a major obstacle to the resumption of economic activities and to recovery and reconstruction efforts;

21. *Welcomes* the progress achieved through the Mine Action Programme for Afghanistan, supports the Government of Afghanistan in its efforts to meet its responsibilities under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[60] to cooperate fully with the Mine Action Programme coordinated by the United Nations and to eliminate all known or new stocks of anti-personnel landmines, and acknowledges the need for more assistance from the international community in this regard;

22. *Stresses* that regional cooperation constitutes an effective means to promote security and development in Afghanistan;

23. *Pledges its continued support*, after the successful completion of the political transition, to the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of a constitutional democracy and resume their rightful place in the community of nations;

24. *Recalls* the constitutional guarantee of human rights and fundamental freedoms for all Afghans as a significant political achievement, and stresses the need to fully implement the human rights provisions of the Afghan Constitution, including those regarding the full enjoyment by women and children of their human rights;

25. *Calls for* the full respect of the human rights and fundamental freedoms of all, without discrimination of any kind, including on the basis of gender, ethnicity or religion, in accordance with obligations under the Afghan Constitution and international law;

26. *Commends* the achievements and the commitment of the Government of Afghanistan in this respect, and expresses its concern at the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist and criminal groups for the enjoyment of human rights and for the capacity of the Government of Afghanistan to ensure human rights and fundamental freedoms for all Afghans;

27. *Recalls* Security Council resolutions 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict, expresses its concern at the high number of civilian casualties, including women and children, as stated in the recent report of the Secretary-General on the situation in Afghanistan,[61] reiterates its call for all feasible steps to be taken to ensure the protection of civilians, and calls for full compliance with international humanitarian and human rights law;

28. *Recognizes* the importance of holding free, fair and secure elections in 2009 and 2010 as a crucial step towards consolidating democracy for all Afghans as identified in the Afghanistan Compact, stresses the responsibility of the Afghan authorities in this regard, and calls upon the international community to continue to provide sustained support, including financial assistance and support to the Government of Afghanistan to ensure the security of the elections;

29. *Welcomes* the steps taken by the Government of Afghanistan on justice sector reform, stresses the need for further accelerated progress towards the establishment of a fair and effective justice system as an important step towards the goal of strengthening the Government, providing security and ensuring the rule of law throughout the country, and urges the international community to continue to support the efforts of the Government in these areas in a coordinated manner;

30. *Also welcomes*, in this regard, the adoption by the Afghan authorities of the National Justice Programme, and stresses the importance of its full and timely implementation by all the relevant actors;

31. *Urges* the Government of Afghanistan and the international community to devote adequate resources to the reconstruction and reform of the prison sector in order to improve respect for the rule of law and human rights therein, while reducing physical and mental health risks to inmates;

32. *Emphasizes* the importance of ensuring access for relevant organizations to all prisons in Afghanistan, and calls for full respect for relevant international law, including humanitarian law and human rights law, where applicable, including with regard to minors, if detained;

33. *Notes with concern* reports of continued violations of human rights and of international humanitarian law,

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[60] United Nations, *Treaty Series*, vol. 2056, No. 35597.

[61] A/63/372-S/2008/617.

including violent or discriminatory practices, violations committed against persons belonging to ethnic and religious minorities, as well as against women and girls, stresses the need to promote tolerance and religious freedom as guaranteed by the Afghan Constitution, emphasizes the necessity of investigating allegations of current and past violations, and stresses the importance of facilitating the provision of efficient and effective remedies to the victims and of bringing the perpetrators to justice in accordance with national and international law;

34. *Stresses* the need to ensure respect for the right to freedom of expression and the right to freedom of thought, conscience or belief, while noting with concern recent attempts to limit freedom of expression and to intimidate journalists, and condemns cases of the abduction and even killing of journalists by terrorist as well as extremist and criminal groups;

35. *Reiterates* the important role of the Afghan Independent Human Rights Commission in the promotion and protection of human rights and fundamental freedoms, stresses the need to expand its range of operation in all parts of Afghanistan in accordance with the Afghan Constitution, encourages the Government of Afghanistan to take increasing responsibility for the core funding of the Commission, and calls upon the international community for continued support in this regard;

36. *Calls for* the full implementation by the Government of Afghanistan of the Action Plan on Peace, Justice and Reconciliation, in the framework of the Afghan Constitution, without prejudice to the implementation of measures introduced by the Security Council in its resolution 1267 (1999), and recalls other relevant resolutions in this regard, including Council resolution 1806 (2008);

37. *Recalls* Security Council resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security, commends the efforts of the Government of Afghanistan to mainstream gender issues and to protect and promote the equal rights of women and men as guaranteed, inter alia, by virtue of its ratification of the Convention on the Elimination of All Forms of Discrimination against Women,[62] and by the Afghan Constitution, and reiterates the continued importance of the full and equal participation of women in all spheres of Afghan life, and of equality before the law and equal access to legal counsel without discrimination of any kind;

38. *Welcomes* the creation of a special fund for the protection of women at risk, set up by the United Nations Development Fund for Women with the support of the Office of the United Nations High Commissioner for Refugees;

39. *Also welcomes* the implementation of the National Action Plan for Women in Afghanistan and the significant efforts by the Government of Afghanistan to counter discrimination, urges the Government to actively involve all elements of Afghan society, in particular women, in the development and implementation of relief, rehabilitation, recovery and reconstruction programmes, and encourages the collection and use of statistical data on a sex-disaggregated basis to provide information on gender-based violence and accurately track the progress of the full integration of women into the political, economic and social life of Afghanistan;

40. *Applauds* the progress achieved on gender equality and in the empowerment of women in Afghan politics as historic milestones in the political process which will help to consolidate durable peace and national stability in Afghanistan, while noting the need to promote the empowerment of women also at the provincial level;

41. *Strongly condemns* incidents of discrimination and violence against women and girls, in particular if directed against women activists and women prominent in public life, wherever they occur in Afghanistan, including killings, maimings and "honour killings," in certain parts of the country;

42. *Stresses* the need to ensure respect for the human rights and fundamental freedoms of children in Afghanistan, recalls the need for the full implementation of the Convention on the Rights of the Child[63] and the two Optional Protocols thereto[64] by all States parties, as well as Security Council resolution 1612 (2005) of 26 July 2005 on children and armed conflict;

43. *Expresses in this regard its concern* about the ongoing recruitment and use of children by illegal armed and terrorist groups in Afghanistan, as described in the report of the Secretary-General on children and armed conflict of 21 December 2007,[65] stresses the importance of ending the use of children contrary to international law, and welcomes the progress achieved by and firm commitment of the Government of Afghanistan in this regard, including the strong condemnation of any exploitation of children;[66]

44. *Welcomes* the adoption by the Government of Afghanistan of the National Plan of Action on Combating Child Trafficking, also welcomes initiatives to pass legislation on human trafficking, guided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against

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[62] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[63] Ibid., vol. 1577, No. 27531.

[64] Ibid., vols. 2171 and 2173, No. 27531.

[65] A/62/609-S/2007/757.

[66] See A/63/372-S/2008/617.

Transnational Organized Crime,[67] and stresses the importance of considering becoming a party to the Protocol;

45. *Urges* the Government of Afghanistan to continue to effectively reform the public administration sector in order to implement the rule of law and to ensure good governance and accountability at both national and local levels, and stresses the importance of meeting the respective benchmarks of the Afghanistan Compact, with the support of the international community;

46. *Welcomes* the appointment of officials, as required by the Afghanistan Compact, to the Senior Appointments Panel, and encourages the Government of Afghanistan to make active use of this panel, thus enhancing efficiency and transparency in the appointment of senior officials;

47. *Encourages* the international community, including all donor nations, to assist the Government of Afghanistan in making capacity-building and human resources development a cross-cutting priority;

48. *Welcomes* the ratification by Afghanistan of the United Nations Convention against Corruption,[68] encourages the Government of Afghanistan to vigorously pursue its efforts to establish a more effective, accountable and transparent administration at national, provincial and local levels of Government leading the fight against corruption in accordance with the Afghanistan Compact, and notes with concern the effects of corruption with regard to security, good governance, combating the narcotics industry and economic development;

49. *Applauds* the establishment of the Independent Directorate of Local Governance by the Government of Afghanistan, calls upon Afghan authorities and the international community to actively support the work of the Directorate to establish and strengthen governance institutions at subnational levels and ensure that those institutions play a strong role in facilitating the delivery of national activities and programmes to improve the well-being of the Afghan people, and welcomes in this regard international support provided, including the agreements the Directorate has signed with India and the Islamic Republic of Iran to expand public service training;

50. *Urges* the Government of Afghanistan to address, with the assistance of the international community, the question of claims for land property through a comprehensive land titling programme, including formal registration of all property and improved security of property rights, and welcomes the steps already taken by the Government in this regard;

51. *Welcomes* the launch of the Afghanistan National Development Strategy, as well as further efforts of the Government of Afghanistan to achieve the Millennium Development Goals;

52. *Also welcomes* the continuing and growing ownership of rehabilitation, reconstruction and development efforts by the Government of Afghanistan, and emphasizes the crucial need to achieve ownership in all fields of governance and to improve institutional capabilities, including at the provincial level, in order to use aid more effectively;

53. *Stresses* the need for a continued strong international commitment to humanitarian assistance and for programmes, under the ownership of the Government of Afghanistan, of recovery, rehabilitation, reconstruction and development, while expressing its appreciation to the United Nations system and to all States and international and non-governmental organizations whose international and local staff continue to respond positively to the humanitarian, transition and development needs of Afghanistan despite increasing security concerns and difficulties of access in certain areas;

54. *Expresses its appreciation* for the humanitarian and development assistance work of the international community in the reconstruction and development of Afghanistan, recognizes the necessity for further improvement in the living conditions of the Afghan people, and emphasizes the need to strengthen and support the capacity of the Government of Afghanistan to deliver basic social services, in particular education and public health services, and to promote development;

55. *Also expresses its appreciation* for the work of the provincial reconstruction teams;

56. *Urgently appeals* to all States, the United Nations system and international and non-governmental organizations to continue to provide, in close coordination with the Government of Afghanistan and in accordance with its national development strategy, all possible and necessary humanitarian, recovery, reconstruction, development, financial, technical and material assistance for Afghanistan, and recalls in this regard the leading role of the Mission in coordinating international efforts;

57. *Urges* the international community, in accordance with the Afghanistan Compact, to increase the proportion of donor assistance channelled directly to the core budget, as agreed bilaterally between the Government of Afghanistan and each donor, as well as through other more predictable core budget funding modalities in which the Government participates, such as the Afghanistan Reconstruction Trust Fund, the Law and Order Trust Fund and the Counter-Narcotics Trust Fund;

58. *Invites* all States and intergovernmental and non-governmental organizations providing assistance to Afghanistan to focus on institution-building in a coordinated manner and to ensure that such work complements and contributes to the development of an economy characterized by sound macroeconomic policies, the development of a financial sector that provides services, inter alia, to microenterprises, small and

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[67] United Nations, *Treaty Series*, vol. 2237, No. 39574.

[68] Ibid., vol. 2349, No. 42146.

medium-sized enterprises and households, transparent business regulations and accountability;

59. *Encourages* the international community to support the local economy as a measure for long-term stability and countering narcotics and, in this respect, to explore possibilities for enhancing local procurement;

60. *Welcomes* all efforts to increase regional economic cooperation, and recognizes the important role of the Economic Cooperation Organization and the South Asian Association for Regional Cooperation in promoting Afghanistan's development;

61. *Calls for* strengthening the process of regional economic cooperation, including measures to facilitate regional trade, to increase foreign investments and to develop infrastructure, noting Afghanistan's historic role as a land bridge in Asia;

62. *Reiterates* the necessity of providing Afghan children, especially Afghan girls, with educational and health facilities in all parts of the country, welcomes progress achieved in the sector of public education, recalls the National Education Strategic Plan as a promising basis for further achievements, and reiterates further the need to provide vocational training for adolescents;

63. *Recognizes* the special needs of girls, strongly condemns terrorist attacks on education facilities, especially on those for Afghan girls, and encourages the Government of Afghanistan, with the assistance of the international community, to expand those facilities, to train professional staff and to promote full and equal access to them by all members of Afghan society, including in remote areas;

64. *Welcomes* the continuous return of refugees and internally displaced persons, in a voluntary and sustainable manner, while noting with concern that conditions in parts of Afghanistan are not yet conducive to safe and sustainable returns to some places of origin;

65. *Expresses its appreciation* to those Governments that continue to host Afghan refugees, acknowledging the huge burden they have so far shouldered in this regard, and reminds them of their obligations under international refugee law with respect to the protection of refugees, the principle of voluntary return and the right to seek asylum and to allow international access for their protection and care;

66. *Urges* the Government of Afghanistan, acting with the support of the international community, to continue to strengthen its efforts to create the conditions for the voluntary, safe, dignified and sustainable return and reintegration of the remaining Afghan refugees and internally displaced persons;

67. *Welcomes*, in this regard, the continued constructive work between the countries of the region, and the tripartite agreements between the Office of the United Nations High Commissioner for Refugees, the Government of Afghanistan and the Governments of countries hosting refugees from Afghanistan, in particular Pakistan and the Islamic Republic of Iran;

68. *Calls for* the provision of continued international assistance to the large numbers of Afghan refugees and internally displaced persons to facilitate their voluntary, safe, dignified and orderly return and sustainable reintegration into society so as to contribute to the stability of the entire country;

69. *Recognizes* that underdevelopment and lack of capacity increase the vulnerability of Afghanistan to natural disasters and to harsh climate conditions, and urges in this regard the Government of Afghanistan, with the support of the international community, to increase its efforts aimed at modernizing the agricultural sector and strengthening its agricultural production, thereby reducing Afghanistan's vulnerability to adverse external conditions such as drought, flooding and the recent steep rise in global food prices;

70. *Expresses its concern* at the worsening humanitarian situation, especially the perilous food security situation, created in particular by high world food and energy prices and continued drought conditions in Afghanistan, and calls for urgent international support for and the early fulfilment, before the approaching winter, of the funding target of the emergency appeal to address the high food price and drought crisis;

71. *Welcomes* the growing number of poppy-free provinces and other positive developments in fighting drug production in Afghanistan, as reported by the United Nations Office on Drugs and Crime in the "Afghanistan Opium Survey 2008",[69] released on 26 August 2008, but reiterates its deep concern about the continued cultivation and production of narcotic drugs in Afghanistan, mainly concentrated in areas where the Taliban, Al-Qaida and other extremist and criminal groups are particularly active, as well as the ongoing drug trafficking, and stresses the need for more coordinated and resolute efforts by the Government of Afghanistan, supported by the international community, to fight this menace;

72. *Notes with great concern* the increasingly strong nexus between the drug trade and terrorist activities by the Taliban, Al-Qaida and other extremist and criminal groups which pose a serious threat to security, the rule of law and development in Afghanistan, and stresses the importance of the implementation of all relevant Security Council resolutions in this regard, including resolution 1735 (2006) of 22 December 2006;

73. *Stresses* the need to prevent trafficking in and diversion of chemical precursors used in the illicit manufacturing of drugs, including heroin for illicit use in Afghanistan, and calls for the full implementation of Security Council resolution 1817 (2008) in this regard;

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[69] Available from www.unodc.org/unodc/en/crop-monitoring/index.html.

74. *Urges* the Government of Afghanistan, supported by the international community, to work to mainstream counter-narcotics throughout all the national programmes and to ensure that counter-narcotics is a fundamental part of the comprehensive approach, as well as to increase its efforts against opium cultivation and drug trafficking in accordance with the balanced eight-pillar plan of the Afghan National Drug Control Strategy;[70]

75. *Commends* the efforts of the Government of Afghanistan in this regard, as well as the efforts to carry out the National Drug Control Strategy, including the Prioritized Implementation Plan, urges the Government and the international community to take decisive action, in particular to stop the processing of and trade in drugs, by pursuing the concrete steps set out in the Strategy and in the Afghanistan Compact and through initiatives such as the Good Performance Initiative established to provide incentives for governors to reduce cultivation in their provinces, and encourages the Afghan authorities to work at the provincial level on elaborating counter-narcotics implementation plans;

76. *Calls upon* the international community to assist the Government of Afghanistan in carrying out its National Drug Control Strategy, aimed at eliminating the cultivation, production, trafficking in and consumption of illicit drugs, including through increased support for Afghan law enforcement and criminal justice agencies, agricultural and rural development, demand reduction, the elimination of illicit crops, increasing public awareness, building the capacity of drug control institutions, care and treatment centres for drug addicts and creating alternative livelihoods for farmers;

77. *Encourages* the international community to increasingly channel counter-narcotics funding through the Government of Afghanistan's Counter-Narcotics Trust Fund, and urges the efficient and timely delivery of the aid provided;

78. *Stresses* the importance of a comprehensive approach to address the drug problem of Afghanistan, which, to be effective, has to be integrated into the wider context of efforts carried out in the areas of security, governance, rule of law and human rights, and economic and social development, stresses that the development of alternative livelihood programmes is of key importance in the success of the efforts in counter-narcotics in Afghanistan, and reiterates that extensive efforts have also to be made to reduce the demand for drugs globally in order to contribute to the sustainability of the elimination of illicit cultivation in Afghanistan;

79. *Urges* the Government of Afghanistan, assisted by the international community, to promote the development of sustainable livelihoods in the formal production sector as well as other sectors, and to improve access to reasonable and sustainable credit and financing in rural areas, thus improving substantially the lives, health and security of the people, particularly in rural areas;

80. *Supports* the fight against the illicit trafficking in drugs from and precursors to Afghanistan and neighbouring States and countries along trafficking routes, including increased cooperation among them in strengthening anti-narcotic controls and the monitoring of the international trade in chemical precursors;

81. *Calls upon* States to strengthen international and regional cooperation to counter the increasing threat to the international community posed by the illicit production of drugs in Afghanistan and trafficking in drugs, recognizes the progress achieved by relevant initiatives within the framework of the Paris Pact, the Second Ministerial Conference on Drug Trafficking Routes from Afghanistan, held in Moscow from 26 to 28 June 2006, the meeting in Kabul in October 2007, and the Tehran agreement on a triangular initiative by Afghanistan, the Islamic Republic of Iran and Pakistan, and stresses the importance of further progress in the implementation of these initiatives;

82. *Pays homage* to all those who have lost their lives in the fight against drug traffickers, in particular members of the security forces of Afghanistan and its neighbouring countries;

83. *Welcomes* recent initiatives to promote border management cooperation in drug control between Afghanistan and its neighbours;

84. *Stresses* the importance of further, effective cooperative support by relevant international and regional actors, including the United Nations and the Force within its designated responsibilities, to Afghan-led sustained efforts to address the threat posed by the illicit production of and trafficking in drugs;

85. *Expresses its appreciation* for the work of the Mission as mandated by the Security Council in its resolution 1806 (2008), and stresses the continued importance of the central and impartial role played by the Mission in promoting and coordinating a more coherent international engagement;

86. *Welcomes* the ongoing extension of the presence of the Mission into additional provinces, which thus ensures that the United Nations fulfils its essential coordinating role, and encourages the Mission to consolidate its presence and to continue its expansion throughout the country, in particular in the south, security conditions permitting;

87. *Stresses* the need to ensure that the Mission is adequately resourced to fulfil its mandate;

88. *Acknowledges* the central role played by the Joint Coordination and Monitoring Board in facilitating and monitoring the implementation of the Afghanistan Compact, stresses the role of the Board to support Afghanistan by, inter

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[70] S/2006/106, annex.

alia, coordinating international assistance and reconstruction programmes, and welcomes further efforts to provide appropriate guidance and promote a more coherent international engagement;

89. *Commends* the continuing efforts of the signatories of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002[71] to implement their commitments under the Declaration, and furthermore calls upon all other States to respect and support the implementation of those provisions and to promote regional stability;

90. *Welcomes* efforts by the Governments of Afghanistan and its neighbouring partners to foster trust and cooperation with each other, and looks forward, where appropriate, to increasing cooperation between Afghanistan and all its neighbouring and regional partners against the Taliban, Al-Qaida and other extremist and criminal groups and in promoting peace and prosperity in Afghanistan, in the region and beyond;

91. *Also welcomes* the important role of Afghanistan's neighbours and regional partners, including the Shanghai Cooperation Organization, in promoting the country's stability and development;

92. *Encourages* the Group of Eight countries to continue to promote cooperation with and assistance for Afghanistan through mutual consultation and agreement, including follow-up projects in areas such as repatriation of refugees, border management and economic development;

93. *Appreciates* the efforts of the members of the Tripartite Commission, namely Afghanistan, Pakistan and the Force, to continue to address cross-border activities and to broaden its cooperation;

94. *Emphasizes* the need to maintain, strengthen and review civil-military relations among international actors, as appropriate, at all levels in order to ensure complementarity of action based on the different mandates and comparative advantages of the humanitarian, development, law enforcement and military actors present in Afghanistan, bearing in mind the central and impartial coordinating role of the United Nations;

95. *Requests* the Secretary-General to report to the General Assembly every six months during its sixty-third session on developments in Afghanistan, as well as on the progress made in the implementation of the present resolution;

96. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "The situation in Afghanistan".

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[71] S/2002/1416, annex.

RESOLUTION 63/19

Adopted at the 43rd plenary meeting, on 10 November 2008, without a vote, on the basis of draft resolution A/63/L.18 and Add.1, sponsored by: Antigua and Barbuda, Argentina, Austria, Azerbaijan, Belgium, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guinea, Haiti, Honduras, Hungary, Iraq, Ireland, Italy, Japan, Lithuania, Luxembourg, Madagascar, Mexico, Morocco, Netherlands, Nicaragua, Norway, Panama, Peru, Portugal, Republic of Korea, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

63/19. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development

The General Assembly,

Recalling its relevant resolutions on the situation in Central America, and particularly resolution 58/239 of 23 December 2003,

Recalling also paragraph 16 of the above-mentioned resolution, in which the General Assembly took note with satisfaction of the intention of the Government of Guatemala to establish a Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses and urged the Secretary-General to support that initiative with a view to its prompt implementation,

Apprised by the Secretary-General through his periodic reports[72] of the ensuing protracted negotiations to define the nature and characteristics of the Commission in order to comply with norms and policies of both the United Nations and the Government of Guatemala, those of the latter including the need for parliamentary ratification,

Bearing in mind that the Agreement between the United Nations and the State of Guatemala on the establishment of an International Commission against Impunity in Guatemala was, in fact, signed on 12 December 2006,[73] and that it was ratified by the Guatemalan Congress on 1 August 2007 and entered into force on 4 September 2007,

Aware that the Secretary-General, in accordance with the provisions contained in the Agreement on the establishment of the Commission, had proceeded to appoint the Commissioner in September 2007, and that, after an organizational period of three months, the Commission began implementing its mandate in accordance with Guatemalan law and the provisions of its founding Agreement, to support, strengthen and assist institutions of the State of Guatemala responsible for investigating and prosecuting crimes that compromise fundamental human rights of its citizens and the rule of law,

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[72] See A/60/218, para. 32; *Official Records of the General Assembly, Sixty-second Session, Supplement No. 1* (A/62/1), para. 49; and ibid., *Sixty-third Session, Supplement No. 1* (A/63/1), para. 37.

[73] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 1* (A/62/1), para. 49.

Bearing in mind that the Commission has carried out its activities through voluntary contributions of Member States and other donors from the international community and that the Government of Guatemala has provided additional budgetary allotments to State institutions to support their work in collaboration with the Commission,

Convinced that, pursuant to Articles 55 and 56 of its Charter, the United Nations promotes respect for human rights and fundamental freedoms for all and that Member States pledge themselves to take action in cooperation with the Organization for the achievement of that purpose,

1. *Takes note* of the letter dated 27 October 2008 from the Secretary-General to the President of the General Assembly on the establishment, current state and activities of the International Commission against Impunity in Guatemala and the role that the United Nations has played in its implementation;[74]

2. *Commends* the Government of Guatemala for its commitment to combat impunity and strive to strengthen the institutions that buttress the rule of law and the defence of human rights;

3. *Expresses its appreciation* to those Member States and other donors that have supported the International Commission against Impunity in Guatemala, through voluntary contributions, financial and in kind, and urges them to continue their support;

4. *Also expresses its appreciation* to the Secretary-General for providing effective and efficient assistance to the Commission, and calls upon him to continue to do so in order that the Commission may successfully carry out its mandate and address the challenges that it faces;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the work of the Commission.

RESOLUTION 63/20

Adopted at the 45th plenary meeting, on 11 November 2008, without a vote, on the basis of draft resolution A/63/L.21 and Add.1, sponsored by: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Belarus, Bosnia and Herzegovina, Chile, Comoros, Croatia, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Guatemala, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Myanmar, Nicaragua, Nigeria, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of), Yemen, Palestine

63/20. Special economic assistance for Yemen

The General Assembly,

Concerned about the floods and heavy rain that occurred in the eastern provinces of Yemen on 24 October 2008, resulting in a natural disaster that caused damage to infrastructure and the loss of human lives, and undermined the Government's effort to achieve the Millennium Development Goals,

Acknowledging with appreciation the timely assistance extended by the regional and international donor community, as well as by United Nations agencies and other humanitarian actors,

Noting the immediate response by the Government of Yemen to this disaster,

1. *Expresses its solidarity with and support* for the Government and people of Yemen;

2. *Invites* Member States and relevant United Nations entities, as well as international financial institutions and development agencies, to provide economic and technical assistance in the post-disaster recovery and rehabilitation process;

3. *Invites* the international community and the United Nations system and other international organizations to support the disaster risk management and disaster preparedness capacity of Yemen.

RESOLUTION 63/21

Adopted at the 45th plenary meeting, on 11 November 2008, without a vote, on the basis of draft resolution A/63/L.19 and Add.1, sponsored by: Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Mongolia, Montenegro, Nauru, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Zambia

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[74] A/63/511.

63/21. Report of the International Criminal Court

The General Assembly,

Recalling its resolution 62/12 of 26 November 2007, and all its previous relevant resolutions,

Recalling also that the Rome Statute of the International Criminal Court[75] reaffirms the purposes and principles of the Charter of the United Nations,

Reiterating the historic significance of the adoption of the Rome Statute and its tenth anniversary, which was celebrated on 17 July 2008,

Emphasizing that justice, especially transitional justice in conflict and post-conflict societies, is a fundamental building block of sustainable peace,

Convinced that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent future such abuses,

Noting with satisfaction the fact that the International Criminal Court has achieved considerable progress in its analyses, investigations and judicial proceedings in various situations and cases which were referred to it by States parties to the Rome Statute and by the Security Council, in accordance with the Rome Statute,

Recalling that effective and comprehensive cooperation and assistance in all aspects of its mandate by States, the United Nations and other international and regional organizations remains essential for the International Criminal Court to carry out its activities,

Expressing its appreciation to the Secretary-General for providing effective and efficient assistance to the International Criminal Court in accordance with the Relationship Agreement between the United Nations and the International Criminal Court ("Relationship Agreement"),[76]

Acknowledging the Relationship Agreement as approved by the General Assembly in its resolution 58/318 of 13 September 2004, including paragraph 3 of the resolution with respect to the payment in full of expenses accruing to the United Nations as a result of the implementation of the Relationship Agreement,[77] which provides a framework for continued cooperation between the International Criminal Court and the United Nations, which could include the facilitation by the United Nations of the Court's field activities, and encouraging the conclusion of supplementary arrangements and agreements, as necessary,

Welcoming the continuous support given by civil society to the International Criminal Court,

Recognizing the role of the International Criminal Court in a multilateral system that aims to end impunity, establish the rule of law, promote and encourage respect for human rights and achieve sustainable peace, in accordance with international law and the purposes and principles of the Charter,

Expressing its appreciation to the International Criminal Court for providing assistance to the Special Court for Sierra Leone,

1. *Welcomes* the report of the International Criminal Court for 2007/08;[78]

2. *Welcomes* the States that have become parties to the Rome Statute of the International Criminal Court[75] in the past year, and calls upon all States in all regions of the world that are not yet parties to the Rome Statute to consider ratifying or acceding to it without delay;

3. *Welcomes* the States parties as well as States not parties to the Rome Statute that have become parties to the Agreement on the Privileges and Immunities of the International Criminal Court,[79] and calls upon all States that have not yet done so to consider becoming parties to that Agreement;

4. *Calls upon* States parties to the Rome Statute that have not yet done so to adopt national legislation to implement obligations emanating from the Statute and to cooperate with the International Criminal Court in the exercise of its functions, and recalls the provision of technical assistance by States parties in this respect;

5. *Welcomes* the cooperation and assistance provided thus far to the International Criminal Court by States parties as well as States not parties, the United Nations and other international and regional organizations, and calls upon those States that are under an obligation to cooperate to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences;

6. *Emphasizes* the importance of cooperation with States that are not parties to the Rome Statute;

7. *Invites* regional organizations to consider concluding cooperation agreements with the International Criminal Court;

8. *Recalls* that, by virtue of article 12, paragraph 3, of the Rome Statute, a State which is not a party to the Statute may, by declaration lodged with the Registrar of the International

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[75] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[76] See A/58/874 and Add.1.

[77] Articles 10 and 13 of the Relationship Agreement.

[78] See A/63/323.

[79] United Nations, *Treaty Series*, vol. 2271, No. 40446.

Criminal Court, accept the exercise of jurisdiction by the Court with respect to specific crimes that are mentioned in paragraph 2 of that article;

9. *Encourages* all States parties to take the interests, needs for assistance and mandate of the International Criminal Court into account when relevant matters are being discussed in the United Nations;

10. *Emphasizes* the importance of the full implementation of the Relationship Agreement,[76] which forms a framework for close cooperation between the two organizations and for consultation on matters of mutual interest pursuant to the provisions of that Agreement and in conformity with the respective provisions of the Charter of the United Nations and the Rome Statute, as well as the need for the Secretary-General to inform the General Assembly at its sixty-fourth session on the expenses incurred and reimbursements received by the United Nations in connection with assistance provided to the International Criminal Court;

11. *Notes* the fact that the International Criminal Court liaison office to United Nations Headquarters is now fully operational, and encourages the Secretary-General to continue to work closely with that office;

12. *Encourages* States to contribute to the Trust Fund established for the benefit of victims of crimes within the jurisdiction of the International Criminal Court and the families of such victims, and acknowledges with appreciation contributions made to the Trust Fund thus far;

13. *Notes* the work of the Special Working Group on the Crime of Aggression, which is open to all States on an equal footing, and encourages all States to consider participating actively in the Working Group with a view to elaborating proposals for a provision on the crime of aggression, in accordance with article 123 of the Rome Statute;

14. *Also notes* that the Review Conference to be held in 2010 may provide an opportunity to address issues, in addition to those relating to the possible definition of the crime of aggression, that have been identified by States, including States that are not parties to the Rome Statute;

15. *Takes note* of the decision of the Assembly of States Parties to the Rome Statute at its sixth session, while recalling that, according to article 112, paragraph 6, of the Rome Statute, the Assembly of States Parties shall meet at the seat of the International Criminal Court or at United Nations Headquarters, to hold its seventh session at The Hague, looks forward to the seventh session of the Assembly of States Parties, which is to be held at The Hague from 14 to 22 November 2008, as well as to the resumed seventh session, which is to be held in New York from 19 to 23 January 2009 and from 9 to 13 February 2009, and requests the Secretary-General to provide the necessary services and facilities in accordance with the Relationship Agreement and resolution 58/318;

16. *Encourages* the widest possible participation of States in the Assemblies of States Parties, invites States to contribute to the Trust Fund for the participation of the least developed countries, and acknowledges with appreciation contributions made to the Trust Fund thus far;

17. *Invites* the International Criminal Court to submit, in accordance with article 6 of the Relationship Agreement, a report on its activities for 2008/09, for consideration by the General Assembly at its sixty-fourth session.

RESOLUTION 63/22

Adopted at the 50th plenary meeting, on 13 November 2008, without a vote, on the basis of draft resolution A/63/L.24/Rev.1 and Add.1, sponsored by: Afghanistan, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bangladesh, Belarus, Belize, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Cambodia, Cameroon, Central African Republic, China, Comoros, Congo, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Grenada, Guatemala, Guinea, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Mali, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Nicaragua, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Sudan, Suriname, Swaziland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, United Arab Emirates, Uzbekistan, Vanuatu, Yemen

63/22. Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace

The General Assembly,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[80] in particular the right to freedom of thought, conscience and religion,

Recalling its resolutions 56/6 of 9 November 2001, on the Global Agenda for Dialogue among Civilizations, 57/6 of 4 November 2002, concerning the promotion of a culture of peace and non-violence, 57/337 of 3 July 2003, on the prevention of armed conflict, 58/128 of 19 December 2003, on the promotion of religious and cultural understanding, harmony and cooperation, 59/23 of 11 November 2004, on the promotion of interreligious dialogue, 59/143 of 15 December 2004, on the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, 60/167 of 16 December 2005, on human rights and cultural diversity, and 62/157 of 18 December 2007, on the elimination of all forms of intolerance and of discrimination based on religion or belief,

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[80] Resolution 217 A (III).

Recalling also its resolution 62/90 of 17 December 2007 on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace, and the declaration of 2010 as the International Year for the Rapprochement of Cultures,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Taking note of the various initiatives at the national, regional and international levels to enhancing dialogue, understanding and cooperation among religions, cultures and civilizations, which are mutually reinforcing and interrelated, inter alia, the fourth Asia-Pacific Dialogue on Interfaith Cooperation for Peace and Harmony, held in Phnom Penh from 3 to 6 April 2008,[81] the Third Global Inter-Media Dialogue, held in Bali, Indonesia, on 7 and 8 May 2008, the Fourth Asia-Europe Meeting Interfaith Dialogue, held in Amsterdam from 3 to 5 June 2008,[82] the World Conference on Dialogue, held in Madrid from 16 to 18 July 2008,[83] the Sixth General Meeting of the World Public Forum "Dialogue of Civilizations", held in Rhodes, Greece, from 9 to 13 October 2008, the Second Alliance of Civilizations Forum, to be held in Istanbul, Turkey, on 2 and 3 April 2009, the Special Non-Aligned Movement Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace and Development, to be held in Manila from 26 to 28 May 2009, the fifth Asia-Pacific Regional Interfaith Dialogue, to be held in Australia in 2009, the Parliament of the World's Religions, to be held in Melbourne, Australia, from 3 to 9 December 2009, and the Third Congress of Leaders of World and Traditional Religions, to be held in Astana on 1 and 2 July 2009, with the participation and technical assistance of the United Nations system,

Affirming the importance of sustaining the process of engaging all stakeholders in the interreligious, intercultural and intercivilizational dialogue within the appropriate initiatives at the various levels,

Recognizing the commitment of all religions to peace,

1. *Affirms* that mutual understanding and interreligious dialogue constitute important dimensions of the dialogue among civilizations and of the culture of peace;

2. *Takes note* of the report of the Secretary-General on interreligious and intercultural dialogue, understanding and cooperation for peace;[84]

3. *Also takes note* of the work of the United Nations Educational, Scientific and Cultural Organization on interreligious dialogue in the context of its efforts to promote dialogue among civilizations, cultures and peoples, as well as activities related to a culture of peace, and welcomes its focus on concrete action at the global, regional and subregional levels and its flagship project on the promotion of interfaith dialogue;

4. *Reaffirms* the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights[80] and other instruments relating to human rights and international law, the universal nature of these rights and freedoms being beyond question;

5. *Encourages* the promotion of dialogue among the media from all cultures and civilizations, emphasizes that everyone has the right to freedom of expression, and reaffirms that the exercise of this right carries with it special duties and responsibilities and may therefore be subject to certain restrictions, but these shall be only such as are provided by law and necessary for respect of the rights or reputations of others, protection of national security or of public order, or of public health or morals;

6. *Encourages* Member States to consider, as and where appropriate, initiatives that identify areas for practical action in all sectors and levels of society for the promotion of interreligious and intercultural dialogue, tolerance, understanding and cooperation, inter alia, the ideas suggested during the High-level Dialogue on Interreligious and Intercultural Understanding and Cooperation for Peace, held on 4 and 5 October 2007, including the idea of an enhanced process of dialogue among world religions;

7. *Takes note* of the plenary meeting of the General Assembly on the culture of peace, held on 12 and 13 November 2008, during the sixty-third session of the Assembly, in which the President of the Assembly had invited participation at the highest possible level;

8. *Requests* the Office for Economic and Social Council Support and Coordination in the Department of Economic and Social Affairs of the Secretariat, as the focal point for interreligious, intercultural and intercivilizational matters, to coordinate with the United Nations Educational, Scientific and Cultural Organization in facilitating consideration of the possibility of proclaiming a United Nations decade for interreligious and intercultural dialogue, understanding and cooperation for peace;

9. *Takes note* of the Third Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace, held on 25 September 2008 in New York;

10. *Invites* the United Nations Educational, Scientific and Cultural Organization, in consultation with Member States, and through extrabudgetary resources, to play a leading role in the preparations for the celebration of the International Year for

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[81] See A/62/949.

[82] See A/63/510.

[83] See A/63/499.

[84] A/63/262.

the Rapprochement of Cultures, in 2010, taking into account General Assembly resolution 61/185 of 20 December 2006 and the relevant provisions of Assembly resolution 62/90;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/23

Adopted at the 51st plenary meeting, on 17 November 2008, without a vote, on the basis of draft resolution A/63/L.27 and Add.1, as orally revised, sponsored by: Albania, Angola, Australia, Austria, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Croatia, Denmark, Dominican Republic, El Salvador, Finland, Germany, Greece, Guatemala, Haiti, Honduras, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mexico, Mongolia, Montenegro, Morocco, Netherlands, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, United Kingdom of Great Britain and Northern Ireland

63/23. Promoting development through the reduction and prevention of armed violence

The General Assembly,

Reaffirming the commitments made by the international community in the United Nations Millennium Declaration,[85] in particular its goal to create an environment conducive to development and the elimination of poverty,

Recalling the 2005 World Summit Outcome,[86]

Recalling also the 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[87] reflecting, inter alia, the concern with the implications that poverty and underdevelopment may have for the illicit trade in small arms and light weapons in all its aspects,

Taking note of the Geneva Declaration on Armed Violence and Development of 7 June 2006,[88] and the regional declarations adopted by regional conferences hosted by the Governments of Guatemala, Kenya and Thailand, having the aim of raising awareness among Member States of the relationship between armed violence and development,

Reaffirming that development, peace and security, and human rights are interlinked and mutually reinforcing,[86]

Stressing the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection,

Recognizing that sustained socio-economic development and the reduction of inequalities, including measures aimed at improving social inclusion, employment and education, constitute essential requirements for reducing levels of armed violence,

Taking note of the resolve expressed in the Summit statement, adopted at the conclusion of the Review Summit of the Geneva Declaration on Armed Violence and Development,[89] to develop goals, targets and measurable indicators on armed violence and development as a complement to the Millennium Development Goals,

Cognizant of past and ongoing efforts, including within the United Nations system, to achieve the Millennium Development Goals through the prevention and reduction of armed violence at national, regional and international levels,

Mindful of the primary responsibility of national Governments for curbing armed violence and for fostering the Millennium Development Goals,

1. *Stresses* the need for a coherent and integrated approach to the prevention of armed violence, with a view to achieving sustainable peace and development;

2. *Requests* the Secretary-General to seek the views of Member States on the interrelation between armed violence and development and, in close consultation with the relevant agencies, funds and programmes of the United Nations system, and with the three United Nations regional centres for peace and disarmament, to submit a report to the General Assembly at its sixty-fourth session.

RESOLUTION 63/24

Adopted at the 53rd plenary meeting, on 18 November 2008, without a vote, on the basis of draft resolution A/63/L.26 and Add.1, sponsored by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Brazil, Canada, Chile, China, Costa Rica, Croatia, Czech Republic, Egypt, Ethiopia, Finland, France, Gabon, Germany, Greece, Guatemala, Guinea, Iceland, Indonesia, Ireland, Italy, Japan, Kuwait, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Namibia, Netherlands, Nicaragua, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Serbia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, Uruguay, Yemen

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[85] See resolution 55/2.

[86] See resolution 60/1.

[87] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[88] A/63/494, annex I.

[89] Ibid., annex II.

63/24. Cooperation between the United Nations and the Inter-Parliamentary Union

The General Assembly,

Having considered the report of the Secretary-General of 8 August 2008[90] which attests to the broad and substantive cooperation between the United Nations and the Inter-Parliamentary Union over the past two years,

Taking note of the resolutions adopted by the Inter-Parliamentary Union and circulated in the General Assembly and the many activities undertaken by the organization in support of the United Nations,

Welcoming the annual parliamentary hearings at the United Nations as joint United Nations-Inter-Parliamentary Union events during the sessions of the General Assembly, as well as other specialized parliamentary meetings organized by the Inter-Parliamentary Union in cooperation with the United Nations in the context of major United Nations conferences and events,

Taking into consideration the Cooperation Agreement between the United Nations and the Inter-Parliamentary Union of 1996,[91] which laid the foundation for cooperation between the two organizations,

Recalling the United Nations Millennium Declaration,[92] as well as the 2005 World Summit Outcome,[93] in which Heads of State and Government resolved to strengthen further cooperation between the United Nations and national parliaments through their world organization, the Inter-Parliamentary Union, in all fields of the work of the United Nations, including the effective implementation of United Nations reform,

Recalling also its resolution 57/32 of 19 November 2002, in which the Inter-Parliamentary Union was invited to participate in the work of the General Assembly in the capacity of observer, as well as resolutions 57/47 of 21 November 2002, 59/19 of 8 November 2004 and 61/6 of 20 October 2006,

Welcoming the close cooperation between the Inter-Parliamentary Union and the Peacebuilding Commission in fostering political dialogue and building national capacities for good governance,

Welcoming also the contribution of the Inter-Parliamentary Union in shaping the agenda and work of the new Development Cooperation Forum held by the Economic and Social Council,

Recognizing the importance of the provision of continued parliamentary support to the work of the Human Rights Council,

1. *Welcomes* the efforts made by the Inter-Parliamentary Union to provide for a greater parliamentary contribution and enhanced support to the United Nations;

2. *Encourages* the United Nations and the Inter-Parliamentary Union to continue to cooperate closely in various fields, in particular peace and security, economic and social development, international law, human rights, and democracy and gender issues, bearing in mind the significant benefits of cooperation between the two organizations, to which the report of the Secretary-General attests;[90]

3. *Encourages* the Inter-Parliamentary Union to strengthen further its contribution to the work of the General Assembly, including its revitalization, and in relation to the process of United Nations reform and system-wide coherence;

4. *Invites* the Peacebuilding Commission to continue to work closely with the Inter-Parliamentary Union in engaging national parliaments in the countries under consideration by the Commission in efforts to promote democratic governance, national dialogue and reconciliation;

5. *Encourages* the Inter-Parliamentary Union to continue to work closely with the Development Cooperation Forum and bring a robust parliamentary contribution to the Forum process and the broader development cooperation agenda;

6. *Also encourages* the Inter-Parliamentary Union to strengthen its contribution to the Human Rights Council, particularly as it relates to the universal periodic review of the fulfilment of human rights obligations and commitments by Member States;

7. *Welcomes* the growing practice of including legislators as members of national delegations to major United Nations meetings and events, as appropriate, and invites Member States to continue this practice in a more regular and systematic manner;

8. *Calls for* the further development of the annual parliamentary hearings at the United Nations as a joint United Nations-Inter-Parliamentary Union event and for the circulation of the hearings summary report as a document of the General Assembly;

9. *Welcomes* the proposal for a regular annual exchange between the United Nations System Chief Executives Board for Coordination and the senior leadership of the Inter-Parliamentary Union, with a view to building greater coherence in the work of the two organizations and maximizing parliamentary support for the United Nations;

10. *Decides*, in recognition of the unique role of national parliaments in support of the work of the United Nations, to include in the provisional agenda of its sixty-fifth session an item entitled "Cooperation between the United Nations, national parliaments and the Inter-Parliamentary Union".

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[90] See A/63/228-S/2008/531 and Corr.1, sect. III.

[91] A/51/402, annex.

[92] See resolution 55/2.

[93] See resolution 60/1.

RESOLUTION 63/25

Adopted at the 57th plenary meeting, on 24 November 2008, without a vote, on the basis of draft resolution A/63/L.31, sponsored by: Algeria, Argentina, Azerbaijan, Germany, Indonesia

63/25. Commemoration of the sixtieth anniversary of the Universal Declaration of Human Rights

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations, which include the promotion of, and respect for, human rights and fundamental freedoms for all,

Recalling its resolution 62/171 of 18 December 2007 entitled "International Year of Human Rights Learning", in which it decided to commemorate the sixtieth anniversary of the Universal Declaration of Human Rights[94] at a plenary meeting to be held on 10 December 2008,

Recalling also its resolution 2217 A (XXI) of 19 December 1966, in which it decided to award at five-year intervals the United Nations award for outstanding achievements in the field of human rights,

1. *Reaffirms* its decision to commemorate the sixtieth anniversary of the Universal Declaration of Human Rights[94] on 10 December 2008;

2. *Decides* that the commemorative event will comprise a plenary meeting, including the award ceremony for the United Nations prize in the field of human rights, and two consecutive informal interactive panel discussions;

3. *Encourages* all Member States and observers to participate at the highest level possible;

4. *Decides* that the President of the General Assembly, the President of the Human Rights Council, the Secretary-General and the United Nations High Commissioner for Human Rights will address the commemorative plenary meeting;

5. *Invites* intergovernmental organizations and entities that have observer status with the General Assembly, relevant entities of the United Nations system and non-governmental organizations in consultative status with the Economic and Social Council to be represented at the commemorative event;

6. *Requests* the President of the General Assembly, in consultation with Member States and with the technical support of the Office of the United Nations High Commissioner for Human Rights, to draw up, no later than 30 November 2008, a list of two representatives of pertinent non-governmental organizations for each of the informal interactive panel discussions who will speak on behalf of civil society, and to circulate the list to Member States to be considered on a no-objection basis;

7. *Also requests* the President of the General Assembly, in consultation with Member States and with the technical support of the Office of the United Nations High Commissioner for Human Rights, to finalize the organizational arrangements for the commemorative event, including the identification of themes and the assignment of panellists for the informal interactive panel discussions;

8. *Further requests* the President of the General Assembly to hold open consultations with Member States and observers in order to prepare a brief declaration reaffirming the Universal Declaration of Human Rights and the commitment for its full implementation, to be adopted by consensus at the commemorative plenary meeting.

RESOLUTION 63/26

Adopted at the 60th plenary meeting, on 26 November 2008, by a recorded vote of 107 to 8, with 57 abstentions,* on the basis of draft resolution A/63/L.32 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe, Palestine

* *In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Colombia, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay

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[94] Resolution 217 A (III).

63/26. Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976 and all subsequent relevant resolutions, including those adopted by the General Assembly at its emergency special sessions and resolution 62/80 of 10 December 2007,

Recalling also its resolution 58/292 of 6 May 2004,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[95]

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[96] endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003,

Recalling further the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,[97]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[98] and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, and takes note of its annual report,[95] including the conclusions and valuable recommendations contained in chapter VII thereof;

2. *Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, including their right to self-determination, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its sixty-fourth session and thereafter;

3. *Also requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

4. *Further requests* the Committee to continue to extend its cooperation and support to Palestinian and other civil society organizations and to continue to involve additional civil society organizations in its work in order to mobilize international solidarity and support for the Palestinian people, particularly during this critical period of humanitarian hardship and financial crisis, with the overall aim of promoting the achievement by the Palestinian people of its inalienable rights and a peaceful settlement of the question of Palestine;

5. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

6. *Invites* all Governments and organizations to extend their cooperation to the Committee in the performance of its tasks;

7. *Requests* the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

8. *Also requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

RESOLUTION 63/27

Adopted at the 60th plenary meeting, on 26 November 2008, by a recorded vote of 106 to 8, with 57 abstentions,* on the basis of draft resolution A/63/L.33 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe, Palestine

* *In favour*: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados,

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[95] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 35* (A/63/35).

[96] S/2003/529, annex.

[97] A/56/1026-S/2002/932, annex II, resolution 14/221.

[98] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Colombia, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland

63/27. Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[99]

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolution 32/40 B of 2 December 1977 and all subsequent relevant resolutions, including resolution 62/81 of 10 December 2007,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 62/81;

2. *Considers* that, by assisting the Committee on the Exercise of the Inalienable Rights of the Palestinian People in the implementation of its mandate, the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution to raising international awareness of the question of Palestine and generating international support for the rights of the Palestinian people and a peaceful settlement of the question of Palestine;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, including, in particular, the monitoring of developments relevant to the question of Palestine, the organization of international meetings and conferences in various regions with the participation of all sectors of the international community, liaison and cooperation with civil society, the further development and expansion of the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine, and the conduct of the annual training programme for staff of the Palestinian Authority;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to extend their cooperation to the Division in the performance of its tasks;

6. *Requests* the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize, under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity.

RESOLUTION 63/28

Adopted at the 60th plenary meeting, on 26 November 2008, by a recorded vote of 162 to 8, with 4 abstentions,* on the basis of draft resolution A/63/L.34 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia,

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[99] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 35* (A/63/35).

Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Fiji, Papua New Guinea, Tonga

63/28. Special information programme on the question of Palestine of the Department of Public Information of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[100]

Taking note in particular of the information contained in chapter VI of that report,

Recalling its resolution 62/82 of 10 December 2007,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[101]

Recalling further the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,[102]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[103]

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

Expressing the hope that the Department of Public Information of the Secretariat, in its upcoming programme for 2009–2010, will continue to examine ways to foster and encourage the contribution of media in support of the peace process between the Palestinian and Israeli sides,

1. *Notes with appreciation* the action taken by the Department of Public Information in compliance with resolution 62/82;

2. *Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. *Requests* the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for the biennium 2009–2010, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine and the peace process, including reports on the work carried out by the relevant United Nations organizations, as well as on the efforts of the Secretary-General and his Special Envoy vis-à-vis the peace process;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the relevant recent developments in that regard, in particular the efforts to achieve a peaceful settlement of the question of Palestine;

(*c*) To expand its collection of audio-visual material on the question of Palestine, to continue the production and preservation of such material and to update, on a periodic basis, the public exhibit on the question of Palestine displayed in the General Assembly building;

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[100] Ibid

[101] S/2003/529, annex.

[102] A/56/1026-S/2002/932, annex II, resolution 14/221.

[103] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

(*d*) To organize and promote fact-finding news missions for journalists to the Occupied Palestinian Territory, including East Jerusalem, and Israel;

(*e*) To organize international, regional and national seminars or encounters for journalists, aiming in particular at sensitizing public opinion to the question of Palestine and the peace process and at enhancing dialogue and understanding between Palestinians and Israelis for the promotion of a peaceful settlement to the Israeli-Palestinian conflict;

(*f*) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the annual training programme for Palestinian broadcasters and journalists;

4. *Encourages* the Department to formulate ways for the media and representatives of civil society to engage in an open and positive discussion on means for encouraging people-to-people dialogue and promoting peace and mutual understanding in the region.

RESOLUTION 63/29

Adopted at the 60th plenary meeting, on 26 November 2008, by a recorded vote of 164 to 7, with 3 abstentions,* on the basis of draft resolution A/63/L.35 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Canada, Tonga

63/29. Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been more than sixty years since the adoption of resolution 181 (II) of 29 November 1947 and forty-one years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 62/83 of 10 December 2007,[104]

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[105] and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

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[104] A/63/368-S/2008/612.

[105] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the illegality of the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem,

Reaffirming also the illegality of Israeli actions aimed at changing the status of Jerusalem, including measures such as the so-called E-1 plan and all other unilateral measures aimed at altering the character, status and demographic composition of the city and the territory as a whole,

Reaffirming further that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law,

Expressing deep concern about the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including medical and humanitarian personnel and goods, via the imposition of crossing closures as well as the continued establishment of checkpoints and the imposition of a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis, as well as on efforts aimed at rehabilitating and developing the damaged Palestinian economy, and on the contiguity of the Territory,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[106] and the need for full compliance with the agreements concluded between the two sides,

Recalling also the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[107] and stressing the urgent need for its implementation and compliance with its provisions,

Recalling further the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,[108]

Recalling the convening of the international conference held at Annapolis, United States of America, on 27 November 2007, in particular the decision by the parties to launch meaningful, direct negotiations towards the achievement of a just, lasting and peaceful settlement of the Israeli-Palestinian conflict and ultimately the Arab-Israeli conflict as a whole for the realization of a comprehensive peace in the Middle East,

Noting the important contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including in the framework of the activities of the Quartet,

Welcoming the reconvening of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, under the chairmanship of Norway, at United Nations Headquarters on 22 September 2008, and affirming the importance of continued follow-up and fulfilment of pledges made at the Paris donors' conference of 17 December 2007 to mobilize donors to provide financial support to the Palestinian Authority to enable it to build a prosperous and viable Palestinian State and, in the meantime, to also provide assistance to alleviate the socio-economic and humanitarian crisis being faced by the Palestinian people, and acknowledging the contribution of the Palestinian-European Mechanism for the Management of Socio-Economic Aid of the European Commission in this regard,

Welcoming also the convening of the Bethlehem Conference on Private-Sector Investment from 21 to 23 May 2008, aimed at promoting an enabling environment for Palestinian private-sector growth and development,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions, and emphasizing the need to preserve the Palestinian institutions and infrastructure,

Welcoming the outcome of the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and calling for its speedy implementation,

Welcoming also the progress observed in Jenin, and calling upon the parties to continue cooperation benefiting both Palestinians and Israelis, in particular for promoting security and building confidence, and expressing the hope that such progress will be extended to other major population centres,

Expressing its concern over the negative developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, including the large number of deaths and injuries, mostly among Palestinian civilians, the acts of violence and brutality committed against Palestinian civilians by Israeli settlers in the West Bank, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians and the serious deterioration of the socio-economic and humanitarian conditions of the Palestinian people,

Expressing its grave concern over continuing military actions in the Occupied Palestinian Territory and the reoccupation of Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation by both sides of the Sharm el-Sheikh understandings,

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[106] See A/48/486-S/26560, annex.

[107] S/2003/529, annex.

[108] A/56/1026-S/2002/932, annex II, resolution 14/221.

Taking note of the calm prevailing between the Gaza Strip and southern Israel since June 2008, and calling for its continued respect by both sides,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides,

Expressing concern over the unlawful takeover of Palestinian Authority institutions in the Gaza Strip in June 2007, and calling for the restoration of the situation to that which existed prior to June 2007 and for the continuation of serious efforts for the resumption of dialogue and the restoration of Palestinian national unity,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in advancing and accelerating the peace process negotiations between the parties for the achievement of a just, lasting and comprehensive peace settlement, on the basis of United Nations resolutions, the road map and the Arab Peace Initiative,

Acknowledging the efforts being undertaken by civil society to promote a peaceful settlement of the question of Palestine,

Taking note of the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,[109]

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet and of the League of Arab States;

3. *Further reaffirms* the importance of the Arab Peace Initiative, adopted by the Council of the League of Arab States at its fourteenth session,[108] and encourages continued serious efforts to follow up and promote the Initiative, including by the Ministerial Committee formed at the Riyadh summit in March 2007;

4. *Reaffirms* the importance of the international conference convened at Annapolis, and urges the parties to undertake, with the support of the Quartet and the international community, immediate and concrete steps in follow-up to their joint understanding, including through active and serious resumed bilateral negotiations;

5. *Calls upon* both parties to fulfil their obligations in respect of the implementation of the road map[107] by taking immediate parallel and reciprocal steps in this regard;

6. *Calls upon* the parties themselves, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation and to reverse all measures taken on the ground since 28 September 2000;

7. *Underscores* the need for the parties to take confidence-building measures aimed at improving the situation on the ground, promoting stability and fostering the peace process, including the need for the further release of prisoners;

8. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres, inter alia, by easing movement and access, including by the removal of checkpoints and other obstructions to movement, and the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

9. *Also stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

10. *Notes* the Israeli withdrawal in 2005 from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map, and the need for the parties to resolve all remaining issues in the Gaza Strip;

11. *Reiterates* the need for the full implementation by both parties of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, of 15 November 2005, and the need, in specific, to allow for the opening of all crossings into and out of the Gaza Strip for humanitarian supplies, movement and access as well as for commercial flows, which are essential for improving the living conditions of the Palestinian people and ensuring the viability of the Palestinian economy;

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[109] See A/ES-10/273 and Corr.1, advisory opinion, para. 161; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

12. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease all of its measures that are contrary to international law and unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character, status and demographic composition of the Territory, including via the de facto annexation of land, and thus at prejudging the final outcome of peace negotiations;

13. *Demands*, accordingly, that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion[105] and as demanded in resolutions ES-10/13 of 21 October 2003 and ES-10/15 and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

14. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

15. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

16. *Stresses* the need for:

(*a*) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(*b*) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

17. *Also stresses* the need for justly resolving the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

18. *Calls upon* the parties to accelerate direct peace negotiations towards the conclusion of a final peaceful settlement on the basis of relevant United Nations resolutions, especially of the Security Council, the terms of reference of the Madrid Conference, the road map and the Arab Peace Initiative;

19. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the humanitarian crisis being faced by the Palestinian people, particularly in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the rebuilding, restructuring and reform of Palestinian institutions;

20. *Welcomes*, in this regard, the continuing efforts of the Quartet's Special Representative, Tony Blair, to strengthen Palestinian institutions, promote Palestinian economic development and mobilize international donor support;

21. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixty-fourth session a report on these efforts and on developments on this matter.

RESOLUTION 63/30

Adopted at the 60th plenary meeting, on 26 November 2008, by a recorded vote of 163 to 6, with 6 abstentions,* on the basis of draft resolution A/63/L.36 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe, Palestine

* *In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Australia, Cameroon, Côte d'Ivoire, Fiji, Haiti, Tonga

63/30. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[110] and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern in particular about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem, and the further isolation of the city from the rest of the Occupied Palestinian Territory, which is having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[111]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/31

Adopted at the 60th plenary meeting, on 26 November 2008, by a recorded vote of 116 to 6, with 52 abstentions,* on the basis of draft resolution A/63/L.37 and Add.1, sponsored by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe, Palestine

* *In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Cameroon, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland

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[110] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[111] A/63/361.

63/31. The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[112]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[113] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and other activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening in Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

Expressing grave concern over the halt in the peace process on the Syrian track, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Also declares* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[114] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War,[113] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire international community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242 (1967) and 338 (1973);

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/33

Adopted at the 60th plenary meeting, on 26 November 2008, without a vote, on the basis of draft resolution A/63/L.28 and Add.1, sponsored by: Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Egypt, Equatorial Guinea, Finland, France, Greece, Guatemala, Guyana, Hungary, Indonesia, Ireland, Israel, Japan, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Mexico, Monaco, Mongolia, Mozambique, New Zealand, Norway, Peru, Philippines, Portugal, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Turkey, United Republic of Tanzania, Zimbabwe

63/33. Global health and foreign policy

The General Assembly,

Recalling the outcomes of the major United Nations conferences and summits in the economic, social and related fields, especially those related to global health,

Recalling also its resolutions 58/3 of 27 October 2003, 59/27 of 23 November 2004 and 60/35 of 30 November 2005, all entitled "Enhancing capacity-building in global public health", and other health-related resolutions, as well as resolutions of the World Health Assembly,

Welcoming the theme of the annual ministerial review to be held by the Economic and Social Council in 2009,

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[112] Ibid.

[113] United Nations, *Treaty Series*, vol. 75, No. 973.

[114] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

"Implementing the internationally agreed goals and commitments in regard to global public health",

Recalling that achieving the health-related Millennium Development Goals is essential to socio-economic development, concerned by the relatively slow progress in achieving them, and mindful that special consideration should be given to the situation in sub-Saharan Africa,

Recognizing the leading role of the World Health Organization as the primary specialized agency for health, including its roles and functions with regard to health policy in accordance with its mandate,

Welcoming the adoption on 24 May 2008 of World Health Assembly resolution 61.18,[115] which initiated the annual monitoring by the World Health Assembly of the achievement of the health-related Millennium Development Goals,

Recognizing the contribution of initiatives in the field of global health such as, among others, the GAVI Alliance, the Global Fund to Fight AIDS, Tuberculosis and Malaria, the International Finance Facility for Immunization, and the International Drug Purchase Facility, UNITAID, as well as other national and regional initiatives,

Noting the role and contribution of the Foreign Policy and Global Health Initiative in promoting synergy between foreign policy and global health, as well as the contribution of the Oslo Ministerial Declaration entitled "Global health – a pressing foreign policy issue of our time"[116] to placing health as a foreign policy issue on the international agenda,

Noting also the outcome of the Thirty-fourth Summit of the Group of Eight, held in Toyako, Hokkaido, Japan, from 7 to 9 July 2008, which highlighted the principles for action on global health to achieve all the health-related Millennium Development Goals,

Emphasizing that the United Nations system has an important responsibility to assist Governments in the follow-up to and full implementation of agreements and commitments reached at the major United Nations conferences and summits, especially those focusing on health-related areas,

Underscoring the fact that global health is also a long-term objective which is national, regional and international in scope and requires sustained attention, commitment and closer international cooperation beyond emergency,

Appreciating the contribution made by civil society, including non-governmental organizations and the private sector, on issues related to foreign policy and global health,

Welcoming ongoing partnerships between a variety of stakeholders at the local, national, regional and global levels aimed at addressing the multifaceted determinants of global health and the commitments and initiatives to accelerate progress on the health-related Millennium Development Goals, including those announced at the high-level event on the Millennium Development Goals, held at United Nations Headquarters on 25 September 2008,

1. *Recognizes* the close relationship between foreign policy and global health and their interdependence, and in that regard also recognizes that global challenges require concerted and sustained efforts by the international community;

2. *Urges* Member States to consider health issues in the formulation of foreign policy;

3. *Stresses* the importance of achieving the health-related Millennium Development Goals;

4. *Recognizes* that the annual ministerial review to be held by the Economic and Social Council in 2009 will focus on the theme "Implementing the internationally agreed goals and commitments in regard to global public health", and in that regard calls for enhanced coordination within the United Nations system;

5. *Requests* the Secretary-General, in close collaboration with the Director-General of the World Health Organization, and in consultation with Member States, to submit to the General Assembly at its sixty-fourth session, in 2009, a comprehensive report, with recommendations, on challenges, activities and initiatives related to foreign policy and global health, taking into account the outcome of the annual ministerial review to be held by the Economic and Social Council in 2009;

6. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Global health and foreign policy", taking into account the cross-cutting nature of issues related to foreign policy and global health.

RESOLUTION 63/34

Adopted at the 60th plenary meeting, on 26 November 2008, without a vote, on the basis of draft resolution A/63/L.38 and Add.1, sponsored by: Algeria, Antigua and Barbuda, Argentina, Australia, Bahamas, Barbados, Belize, Benin, Bosnia and Herzegovina, Burundi, Cambodia, Canada, Chile, Comoros, Côte d'Ivoire, Cuba, Dominica, Dominican Republic, Ecuador, Equatorial Guinea, Finland, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Ireland, Italy, Jamaica, Liberia, Lithuania, Luxembourg, Malaysia, Mexico, Nicaragua, Nigeria, Papua New Guinea, Peru, Philippines, Portugal, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Serbia, Slovenia, Suriname, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uruguay, Venezuela (Bolivarian Republic of)

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[115] See World Health Organization, *Sixty-first World Health Assembly, Geneva, 19–24 May 2008, Resolutions and Decisions, Annexes* (WHA61/2008/REC/1).

[116] A/63/591, annex.

63/34. Cooperation between the United Nations and the Caribbean Community

The General Assembly,

Recalling its resolutions 46/8 of 16 October 1991, 49/141 of 20 December 1994, 51/16 of 11 November 1996, 53/17 of 29 October 1998, 55/17 of 7 November 2000, 57/41 of 21 November 2002, 59/138 of 10 December 2004 and 61/50 of 4 December 2006,

Bearing in mind the provisions of Chapter VIII of the Charter of the United Nations on the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action and other activities consistent with the purposes and principles of the United Nations,

Bearing in mind also, in this regard, the cooperation activities undertaken by the United Nations and the Caribbean Community in fields related to prohibiting and restricting the use of certain conventional weapons, preventing and eradicating the illicit trade in narcotic drugs, small arms and light weapons and the proliferation of weapons of mass destruction,

Recalling the fruitful and action-oriented exchanges that have taken place between the two organizations following the signing on 27 May 1997 by the Secretary-General of the United Nations and the Secretary-General of the Caribbean Community of a cooperation agreement between the secretariats of the two organizations,

Bearing in mind that, in its resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000, 57/261 of 20 December 2002, 59/230 of 22 December 2004 and 61/197 of 20 December 2006, it recognized the importance of adopting an integrated management approach to the Caribbean Sea area in the context of sustainable development,

Bearing in mind also the support that the Caribbean Community has received from the United Nations for its efforts to advance its implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[117] including in the areas of exploring possibilities for renewable energy and sustainable fisheries,

Noting the support that the United Nations Environment Programme has been extending to the environmental and sustainable development programmes of the Caribbean Community, including its close collaboration with the Sustainable Development Unit of the Caribbean Community Secretariat, and related national and regional institutions,

Expressing appreciation, in this context, for the technical role of the United Nations Environment Programme in building cooperation linkages among the small island developing States of the Caribbean Community, and in facilitating the assessment by them of the implications of their adaptation to climate change, which will guide future United Nations Environment Programme climate change programmes in the region,

Noting that the World Summit on Sustainable Development considered the specific issues and problems facing small island developing States,[118] taking note in this regard of the Monterrey Consensus of the International Conference on Financing for Development,[119] and noting the outcome of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[120]

Noting also that the Caribbean region is the second most hazard-prone region in the world and is frequently exposed to devastating hazards including earthquakes, floods, hurricanes and volcanic eruptions,

Noting further that, in recent months, parts of the Caribbean region, in particular Haiti, have been hard hit, and in some cases devastated, by hurricanes, and concerned that their frequency, intensity and destructive power continue to pose a challenge to the development of the region,

Taking note of the report by the Secretary-General on implementation of the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS,[121] in particular his conclusion that while per capita domestic spending on HIV in low-income and lower middle-income countries has continued to increase, the current pace of scale-up will not meet the estimated resources needed to achieve universal access to HIV prevention, treatment, care and support by 2010,

Taking note with appreciation of the joint statement of the fourth general meeting of representatives of the Caribbean Community and the United Nations system, held in Turkeyen, Guyana, on 25 and 26 January 2007,[122]

Taking note with appreciation also of the number of consultations and information exchanges that have been taking place between officials of the two organizations aimed at strengthening their bilateral cooperation in such areas as crime, drug abuse control and violence,

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[117] See *Report of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, Port Louis, Mauritius, 10–14 January 2005* (United Nations publication, Sales No. E.05.II.A.4 and corrigendum), chap. I, resolution 1, annex II.

[118] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum).

[119] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[120] See *Report of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, Port Louis, Mauritius, 10–14 January 2005* (United Nations publication, Sales No. E.05.II.A.4 and corrigendum).

[121] A/62/780.

[122] A/61/833-S/2007/179, annex.

Gravely concerned about the current daunting international environment, characterized by, inter alia, crises in food and energy security, the impact of global warming and an international financial system in turmoil, all of which create enormous challenges for the development efforts of the countries of the Caribbean Community,

Affirming the consequent need to further strengthen the cooperation that already exists between entities of the United Nations system and the Caribbean Community in the areas of economic and social development and of political and humanitarian affairs,

Convinced of the need for the coordinated utilization of available resources to promote the common objectives of the two organizations,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[123]

1. *Takes note* of the report of the Secretary-General,[123] in particular section II.E on the Caribbean Community, concerning efforts to strengthen and deepen cooperation;

2. *Calls upon* the Secretary-General of the United Nations, in association with the Secretary-General of the Caribbean Community, as well as the relevant regional organizations, to continue to assist in furthering the development and maintenance of peace and security within the Caribbean region;

3. *Invites* the Secretary-General to continue to promote and expand cooperation and coordination between the United Nations and the Caribbean Community in order to increase the capacity of the two organizations to attain their objectives;

4. *Calls for*, in this context, vastly increased efforts by developed countries to strengthen the multilateral development framework so that the United Nations development system may respond more effectively to the needs of programme countries, so that they, including the countries of the Caribbean Community, can pursue their development efforts on the basis of secure and predictable funding;

5. *Urges* the specialized agencies and other organizations and programmes of the United Nations system to step up their cooperation with the Secretary-General of the United Nations and the Secretary-General of the Caribbean Community with a view to intensifying their consultations and programmes of cooperation with the Caribbean Community and its associated institutions in the attainment of their objectives, with special attention to the areas and issues identified by the two organizations at their fourth general meeting, held in January 2007,[122] as set out in the report of the Secretary-General, as well as in its resolutions 54/225, 55/2 of 8 September 2000, 55/203 and S-26/2 of 27 June 2001 and the decisions of the World Summit on Sustainable Development,[118] and of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[120] as well as the Monterrey Consensus of the International Conference on Financing for Development;[119]

6. *Takes note* of the exchanges in progress between the United Nations Industrial Development Organization and the Caribbean Community aimed at the design and implementation of programmes for enhancing the industrial development capacity of the countries of the Caribbean Community;

7. *Also takes note* of the various cooperation activities between the Caribbean Community and the Food and Agriculture Organization of the United Nations designed to increase agricultural output and improve food security in the region by modernizing agricultural production and developing sustainable agricultural strategies;

8. *Invites* the organizations of the United Nations system, as well as Member States, to increase financial and other assistance to the countries of the Caribbean Community to help to implement the priorities of the Caribbean Regional Strategic Framework for HIV/AIDS, which sets out realistic targets for reducing the rate of new infections, raising the quality and coverage of care, treatment and support and building institutional capacity, and to cope with the problems and the burden caused by the HIV/AIDS pandemic;

9. *Stresses* the urgent need for the reopening of the office of the United Nations Office on Drugs and Crime in the region so as to reinforce the efforts of the States of the region in their struggle against the interrelated scourges of drugs, violent crime and the illicit trade in small arms and light weapons;

10. *Expresses appreciation* for the cooperation received from the Department of Public Information of the Secretariat in the implementation of the activities commemorating on 25 March 2007 the two-hundredth anniversary of the abolition of the transatlantic slave trade, the commemoration of which is to be observed on an annual basis;

11. *Also expresses appreciation* for the continuing support and cooperation being received from the Department of Public Information in the preparatory activities for establishing a permanent memorial to the victims of slavery and the transatlantic slave trade, in keeping with General Assembly resolution 62/122 of 17 December 2007;

12. *Invites* the Secretary-General to consider utilizing a strategic programming framework modality to strengthen the coordination and cooperation between the two secretariats as well as between the United Nations field offices and the Caribbean Community;

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[123] A/63/228-S/2008/531 and Corr.1.

13. *Calls upon* the United Nations, the specialized agencies and other organizations and programmes of the United Nations system to assist the countries of the Caribbean in addressing the social and economic consequences of the vulnerability of Caribbean economies and the challenges that this poses for achieving the Millennium Development Goals and the goal of sustainable development;

14. *Reaffirms* the objective of strengthening the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[117] including through the mobilization of financial and technological resources, as well as capacity-building programmes;

15. *Welcomes* the extensive work done by the Commission on the Caribbean Sea since the adoption of General Assembly resolution 61/197 entitled "Towards the sustainable development of the Caribbean Sea for present and future generations", including the development of institutional and legal frameworks for Caribbean Sea governance;

16. *Also welcomes* the initiatives of Member States in assisting in the cooperation between the United Nations and the Caribbean Community, and encourages their continuing efforts;

17. *Further welcomes* the convening in New York, on 9 and 10 February 2009, of the fifth general meeting between representatives of the Caribbean Community and its associated institutions on the one hand and of the United Nations system on the other, in order to review and appraise progress in the implementation of the agreed areas and issues and to hold consultations on such additional measures and procedures as may be required to facilitate and strengthen cooperation between the two organizations;

18. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

19. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Caribbean Community".

RESOLUTION 63/35

Adopted at the 60th plenary meeting, on 26 November 2008, without a vote, on the basis of draft resolution A/63/L.40 and Add.1, sponsored by: Afghanistan, Albania, Angola, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Dominican Republic, Egypt, El Salvador, Fiji, Finland, France, Gabon, Germany, Greece, Grenada, Guinea, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Lebanon, Lithuania, Luxembourg, Malaysia, Maldives, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Myanmar, Nauru, Netherlands, New Zealand, Pakistan, Papua New Guinea, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Sri Lanka, Sudan, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Viet Nam, Yemen

63/35. Cooperation between the United Nations and the Association of Southeast Asian Nations

The General Assembly,

Bearing in mind the aims and purposes of the Association of Southeast Asian Nations, as enshrined in the Bangkok Declaration of 8 August 1967,[124] in particular the maintenance of close and beneficial cooperation with existing international and regional organizations with similar aims and purposes,

Recalling all previous resolutions on cooperation between the United Nations and the Association of Southeast Asian Nations,[125]

Noting with appreciation the report of the Secretary-General,[126]

Noting with satisfaction that the activities of the Association of Southeast Asian Nations are consistent with the purposes and principles of the United Nations,

Welcoming efforts to strengthen partnership between the United Nations and regional organizations, and in this context welcoming also efforts to strengthen cooperation between the United Nations system and the Association of Southeast Asian Nations,

Welcoming also the participation of the Association of Southeast Asian Nations in the high-level meetings between the United Nations and regional organizations, as well as the collaboration between the Association of Southeast Asian Nations and the Economic and Social Commission for Asia and the Pacific to promote dialogue and cooperation among regional organizations in Asia and the Pacific,

Welcoming further the Association of Southeast Asian Nations as an observer in the General Assembly,

Recalling the First and Second Association of Southeast Asian Nations-United Nations Summits, held in Bangkok on 12 February 2000 and at United Nations Headquarters on 13 September 2005, respectively, and the commitment of leaders of the Association of Southeast Asian Nations and the Secretary-General of the United Nations to further broaden cooperation between the Association of Southeast Asian Nations and the United Nations,

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[124] United Nations, *Treaty Series*, vol. 1331, No. 22341.

[125] Resolutions 57/35, 59/5 and 61/46.

[126] A/63/228-S/2008/531 and Corr.1, sect. II.C.

1. *Welcomes* the signing on 20 November 2007 of the Charter of the Association of Southeast Asian Nations by leaders of the Association of Southeast Asian Nations at the Thirteenth Association of Southeast Asian Nations Summit, held in Singapore from 18 to 22 November 2007, which represents a historic milestone for the Association of Southeast Asian Nations, reflecting a common vision and commitment to the development of an Association of Southeast Asian Nations community so as to ensure lasting peace, stability, sustained economic growth, shared prosperity and social progress in the region;

2. *Continues to encourage* both the United Nations and the Association of Southeast Asian Nations to further strengthen and expand their areas of cooperation, and in this context welcomes the signing on 27 September 2007 of the Memorandum of Understanding between the Association of Southeast Asian Nations and the United Nations on Association of Southeast Asian Nations-United Nations cooperation at United Nations Headquarters, which aims at establishing a partnership between the Association of Southeast Asian Nations and the United Nations that will encompass the full range of cooperation based on mutual benefits;

3. *Commends* the President of the General Assembly, the Secretary-General of the United Nations and the Ministers for Foreign Affairs of the member States of the Association of Southeast Asian Nations for their efforts to hold regular meetings, on an annual basis, with the presence of the Secretary-General of the Association of Southeast Asian Nations, during the regular session of the Assembly, with a view to further strengthening the cooperation between the United Nations and the Association of Southeast Asian Nations;

4. *Continues to encourage* the United Nations and the Association of Southeast Asian Nations to convene Association of Southeast Asian Nations-United Nations Summits regularly, and underlines the importance of the presence thereat of the Secretary-General of the United Nations and heads of relevant United Nations departments, funds and programmes, and specialized agencies, and in this context welcomes the decision to convene the Third Association of Southeast Asian Nations-United Nations Summit, to be held in Thailand on 17 December 2008;

5. *Recognizes* the value of partnership between the United Nations and the Association of Southeast Asian Nations in providing timely and effective responses to global issues of mutual concern, in the context of partnership between the United Nations and regional organizations, and thus encourages the United Nations and the Association of Southeast Asian Nations to explore concrete measures for closer cooperation, particularly in the areas of food and energy security and achievement of the Millennium Development Goals;

6. *Welcomes* the establishment of the Association of Southeast Asian Nations Humanitarian Task Force for the Victims of Cyclone Nargis, and acknowledges the progress achieved in assisting the post-Nargis relief work by the Tripartite Core Group comprising the Government of Myanmar, the United Nations and the Association of Southeast Asian Nations, and the assistance provided by the international community to those in need;

7. *Encourages* effective cooperation between member countries of the Association of Southeast Asian Nations and the appropriate United Nations organizations in the delivery of operational activities in the area of development at the country level;

8. *Takes note* of the efforts of the Association of Southeast Asian Nations to hold meetings with other regional organizations at the fringes of the sessions of the General Assembly to promote cooperation in support of multilateralism;

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Association of Southeast Asian Nations".

RESOLUTION 63/111

Adopted at the 64th plenary meeting, on 5 December 2008, by a recorded vote of 155 to 1, with 4 abstentions,* on the basis of draft resolution A/63/L.42 and Add.1, sponsored by: Antigua and Barbuda, Australia, Austria, Belgium, Belize, Brazil, Bulgaria, Canada, Cape Verde, Croatia, Cyprus, Czech Republic, Denmark, Fiji, Finland, France, Georgia, Greece, Guatemala, Honduras, Iceland, Indonesia, Jamaica, Japan, Latvia, Luxembourg, Madagascar, Malaysia, Malta, Mexico, Micronesia (Federated States of), Monaco, New Zealand, Norway, Palau, Philippines, Portugal, Saint Lucia, Samoa, Slovenia, Spain, Sri Lanka, Sweden, Trinidad and Tobago, Tunisia, United States of America

* *In favour:* Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar,

Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Turkey

Abstaining: Colombia, El Salvador, Libyan Arab Jamahiriya, Venezuela (Bolivarian Republic of)

63/111. Oceans and the law of the sea

The General Assembly,

Recalling its annual resolutions on the law of the sea and on oceans and the law of the sea, including resolution 62/215 of 22 December 2007, and other relevant resolutions concerning the United Nations Convention on the Law of the Sea ("the Convention"),[127]

Having considered the report of the Secretary-General,[128] the joint statement of the Co-Chairpersons of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction ("the Ad Hoc Open-ended Informal Working Group")[129] and also the reports on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea ("the Consultative Process") at its ninth meeting[130] and on the eighteenth Meeting of States Parties to the Convention,[131]

Emphasizing the pre-eminent contribution provided by the Convention to the strengthening of peace, security, cooperation and friendly relations among all nations in conformity with the principles of justice and equal rights and to the promotion of the economic and social advancement of all peoples of the world, in accordance with the purposes and principles of the United Nations as set forth in the Charter of the United Nations, as well as to the sustainable development of the oceans and seas,

Emphasizing also the universal and unified character of the Convention, and reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[132]

Recognizing the important contribution of sustainable development and management of the resources and uses of the oceans and seas to the achievement of international development goals, including those contained in the United Nations Millennium Declaration,[133]

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach, and reaffirming the need to improve cooperation and coordination at the national, regional and global levels, in accordance with the Convention, to support and supplement the efforts of each State in promoting the implementation and observance of the Convention, and the integrated management and sustainable development of the oceans and seas,

Reiterating the essential need for cooperation, including through capacity-building and transfer of marine technology, to ensure that all States, especially developing countries, in particular the least developed countries and small island developing States, as well as coastal African States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, through cooperation programmes with Governments, to the development of national capacity in marine science and the sustainable management of the oceans and their resources,

Recalling that marine science is important for eradicating poverty, contributing to food security, conserving the world's marine environment and resources, helping to understand, predict and respond to natural events and promoting the sustainable development of the oceans and seas, by improving knowledge, through sustained research efforts and the evaluation of monitoring results, and applying such knowledge to management and decision-making,

Recalling also its decision, in resolutions 57/141 of 12 December 2002 and 58/240 of 23 December 2003, to establish a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments, as recommended by the World Summit on Sustainable Development,[134] and noting the need for cooperation among all States to this end,

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[127] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[128] A/63/63 and Add.1.

[129] A/63/79 and Corr.1, annex.

[130] A/63/174 and Corr.1.

[131] SPLOS/184.

[132] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[133] See resolution 55/2.

Reiterating its concern at the adverse impacts on the marine environment and biodiversity, in particular on vulnerable marine ecosystems, including corals, of human activities, such as overutilization of living marine resources, the use of destructive practices, physical impacts by ships, the introduction of invasive alien species and marine pollution from all sources, including from land-based sources and vessels, in particular through the illegal and accidental discharge of oil and other harmful substances, the loss or release of fishing gear and the illegal or accidental release of hazardous waste such as radioactive materials, nuclear waste and dangerous chemicals,

Expressing deep concern over the adverse economic, social and environmental impacts of the physical alteration and destruction of marine habitats that may result from land-based and coastal development activities, in particular those land reclamation activities that are carried out in a manner that has a detrimental impact on the marine environment,

Reiterating its serious concern over the current and projected adverse effects of climate change on the marine environment and marine biodiversity, and emphasizing the urgency of addressing this issue,

Expressing concern that climate change has increased the severity and incidence of coral bleaching throughout tropical seas over the past two decades and has weakened the ability of reefs to withstand ocean acidification, which could have serious and irreversible negative effects on marine organisms, particularly corals, as well as to withstand other pressures, including overfishing and pollution,

Reiterating its deep concern over the vulnerability of the environment and the fragile ecosystems of the polar regions, including the Arctic Ocean and the Arctic ice cap, particularly affected by the projected adverse effects of climate change,

Encouraging States to continue to contribute to the specific efforts deployed within the framework of the International Polar Year with the goal of enhancing the knowledge of the polar regions by strengthening scientific cooperation,

Recognizing that there is a need for a more integrated approach and to further study and promote measures for enhanced cooperation, coordination and collaboration relating to the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction,

Recognizing also that the realization of the benefits of the Convention could be enhanced by international cooperation, technical assistance and advanced scientific knowledge, as well as by funding and capacity-building,

Recognizing further that hydrographic surveys and nautical charting are critical to the safety of navigation and life at sea, environmental protection, including the protection of vulnerable marine ecosystems, and the economics of the global shipping industry, and recognizing in this regard that the move towards electronic charting not only provides significantly increased benefits for safe navigation and management of ship movement, but also provides data and information that can be used for sustainable fisheries activities and other sectoral uses of the marine environment, the delimitation of maritime boundaries and environmental protection,

Noting with concern the continuing problem of transnational organized crime committed at sea, including illicit traffic in narcotic drugs and psychotropic substances, the smuggling of migrants and trafficking in persons, and threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, and noting the deplorable loss of life and adverse impact on international trade, energy security and the global economy resulting from such activities,

Noting the importance of the delineation of the outer limits of the continental shelf beyond 200 nautical miles and that it is in the broader interest of the international community that coastal States with a continental shelf beyond 200 nautical miles submit information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf ("the Commission"), noting also in this regard that several States have already made submissions to the Commission and that the Commission has made recommendations for a number of those States, and welcoming the fact that summaries of recommendations have been made publicly available,[135]

Noting also that some States may face particular challenges in relation to preparing submissions to the Commission,

Noting further that financial and technical assistance may be sought by developing countries for activities in relation to preparing submissions to the Commission, including through the voluntary trust fund established by resolution 55/7 of 30 October 2000 for the purpose of facilitating the preparation of submissions to the Commission for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the Convention, as well as other accessible international assistance,

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[134] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[135] Available from www.un.org/Depts/los/index.htm.

Recognizing the important role for developing countries of the trust funds established by resolution 55/7 for the activities of the Commission, and noting with appreciation the recent contributions made to them,

Reaffirming the importance of the work of the Commission for coastal States and the international community as a whole,

Noting the important role of the Commission in assisting States parties in the implementation of Part VI of the Convention, through the examination of information submitted by coastal States regarding the outer limits of the continental shelf beyond 200 nautical miles, and acknowledging in this regard the anticipated workload of the Commission owing to an increasing number of submissions, placing additional demands on its members and on the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat ("the Division"), and the need to ensure that the Commission can perform its functions under the Convention effectively and maintain its high level of quality and expertise,

Welcoming the decision of the eighteenth Meeting of States Parties to the Convention regarding the workload of the Commission and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (*a*),[136]

Recognizing the importance and the contribution of the work over the past nine years of the Consultative Process established by resolution 54/33 of 24 November 1999 and extended by resolutions 57/141 and 60/30 of 29 November 2005 to facilitate the annual review of developments in ocean affairs by the General Assembly,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997 and 54/33, and in this context the increase in activities of the Division, in particular in view of the growing number of requests to the Division for additional outputs and servicing of meetings, its increasing capacity-building activities, the need for enhanced support and assistance to the Commission and the role of the Division in inter-agency coordination and cooperation,

Emphasizing that underwater archaeological, cultural and historical heritage, including shipwrecks and watercrafts, holds essential information on the history of humankind and that such heritage is a resource that needs to be protected and preserved,

Reaffirming the importance of the work of the International Seabed Authority ("the Authority") in accordance with the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Part XI Agreement"),[137]

Reaffirming also the importance of the work of the International Tribunal for the Law of the Sea ("the Tribunal") in accordance with the Convention,

I

Implementation of the Convention and related agreements and instruments

1. *Reaffirms* its annual resolutions on the law of the sea and on oceans and the law of the sea, including resolution 62/215, and other relevant resolutions concerning the Convention;[127]

2. *Also reaffirms* the unified character of the Convention and the vital importance of preserving its integrity;

3. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention and the Part XI Agreement;[137]

4. *Calls upon* States that have not done so, in order to achieve the goal of universal participation, to become parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Fish Stocks Agreement");[138]

5. *Calls upon* States to harmonize their national legislation with the provisions of the Convention and, where applicable, relevant agreements and instruments, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention do not purport to exclude or to modify the legal effect of the provisions of the Convention in their application to the State concerned and to withdraw any such declarations or statements;

6. *Calls upon* States parties to the Convention to deposit with the Secretary-General charts or lists of geographical coordinates, as provided for in the Convention;

7. *Urges* all States to cooperate, directly or through competent international bodies, in taking measures to protect and preserve objects of an archaeological and historical nature found at sea, in conformity with the Convention, and calls upon States to work together on such diverse challenges and opportunities as the appropriate relationship between salvage law and scientific management and conservation of underwater cultural heritage, increasing technological abilities to discover and reach underwater sites, looting and growing underwater tourism;

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[136] SPLOS/183.

[137] United Nations, *Treaty Series*, vol. 1836, No. 31364.

[138] Ibid., vol. 2167, No. 37924.

8. *Notes* the forthcoming entry into force of the 2001 Convention on the Protection of the Underwater Cultural Heritage,[139] and notes in particular the rules annexed thereto, which address the relationship between salvage law and scientific principles of management, conservation and protection of underwater cultural heritage among parties, their nationals and vessels flying their flag;

II

Capacity-building

9. *Calls upon* donor agencies and international financial institutions to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the objectives of the present resolution, as well as the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the interests and needs of landlocked developing States;

10. *Encourages* intensified efforts to build capacity for developing countries, in particular for the least developed countries and small island developing States, as well as coastal African States, to improve hydrographic services and the production of nautical charts, including electronic charts, as well as the mobilization of resources and building of capacity with support from international financial institutions and the donor community;

11. *Calls upon* States and international financial institutions, including through bilateral, regional and global cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training personnel to develop and enhance relevant expertise, providing the necessary equipment, facilities and vessels and transferring environmentally sound technologies;

12. *Also calls upon* States and international financial institutions, including through bilateral, regional and global cooperation programmes and technical partnerships, to strengthen capacity-building activities in developing countries, in particular least developed countries and small island developing States, to develop their maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to promote effective compliance with, and implementation and enforcement of, their responsibilities under international law;

13. *Recognizes* the importance of the work of the International Maritime Law Institute of the International Maritime Organization as a centre of education and training of Government legal advisers, mainly from developing States, notes that the number of its graduates in more than 102 States confirms its effective capacity-building role in the field of international law, and urges States, intergovernmental organizations and financial institutions to make voluntary financial contributions to the budget of the Institute;

14. *Welcomes* ongoing activities for capacity-building so as to address maritime security and safety needs and the protection of the marine environment of developing States, and encourages States and international financial institutions to provide additional funding for capacity-building programmes, including for transfer of technology, including through the International Maritime Organization and other competent international organizations;

15. *Recognizes* the considerable need to provide sustained capacity-building assistance, including on financial and technical aspects, by relevant international organizations and donors to developing States, with a view to further strengthening their capacity to take effective measures against the multiple facets of international criminal activities at sea, in line with the relevant international instruments, including the United Nations Convention against Transnational Organized Crime and the Protocols thereto;[140]

16. *Also recognizes* the need to build the capacity of developing States to raise awareness of, and support the implementation of, improved waste management practices, noting the particular vulnerability of small island developing States to the impact of marine pollution from land-based sources and marine debris;

17. *Further recognizes* the importance of assisting developing States, in particular the least developed countries and small island developing States, as well as coastal African States, in implementing the Convention, and urges States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to the trust funds, as referred to in resolution 57/141, established for this purpose;

18. *Encourages* States to use the Criteria and Guidelines on the Transfer of Marine Technology adopted by the Assembly of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization,[141] and recalls the important role of the secretariat of that Commission in the implementation and promotion of the Criteria and Guidelines;

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[139] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October–3 November 2001*, vol. I and corrigendum: *Resolutions*, resolution 24.

[140] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[141] See Intergovernmental Oceanographic Commission, document IOC/INF-1203.

19. *Calls upon* States to assist developing States, and especially the least developed countries and small island developing States, as well as coastal African States, at the bilateral and, where appropriate, multilateral levels, in the preparation of submissions to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, including the assessment of the nature and extent of the continental shelf of a coastal State through a desktop study, and the delineation of the outer limits of its continental shelf, as well as in the preparation of preliminary information to be submitted to the Secretary-General in accordance with the decision of the eighteenth Meeting of States Parties to the Convention;[136]

20. *Calls upon* the Division to continue to disseminate information on relevant procedures related to the trust fund established for the purpose of facilitating the preparation of submissions to the Commission and to continue its dialogue with potential beneficiaries with a view to providing financial support to developing countries for activities to facilitate timely submissions to the Commission;

21. *Notes with appreciation* the successful conduct by the Division, in cooperation with States and relevant international organizations and institutions, of further subregional training courses in Trinidad and Tobago from 14 to 18 January 2008 and in Namibia from 15 September to 3 October 2008, the purpose of which was to train technical staff of coastal developing States in the delineation of the outer limits of the continental shelf beyond 200 nautical miles and in the preparation of submissions to the Commission, and requests the Secretary-General, in cooperation with States and relevant international organizations and institutions, to continue to support training activities to assist developing States in the preparation of their submissions to the Commission;

22. *Also notes with appreciation* the development by the Division of a training manual on developing and implementing ecosystem approaches to the management of ocean-related activities and the successful delivery, in cooperation with the United Nations Environment Programme under the TRAIN-SEA-COAST Programme, of the first regional training workshop on "Ecosystem approaches to coastal and ocean management: focus on ecosystem-based management in Eastern Africa", in Mombasa, Kenya, from 27 October to 1 November 2008;

23. *Further notes with appreciation* the regional workshop of the Tribunal, held in Buenos Aires from 26 to 28 May 2008, on the role of the Tribunal in the settlement of disputes relating to the law of the sea;

24. *Invites* Member States and others in a position to do so to support the capacity-building activities of the Division, including, in particular, the training activities to assist developing States in the preparation of their submissions to the Commission, and invites Member States and others in a position to do so to contribute to the trust fund established by the Secretary-General for the Office of Legal Affairs of the Secretariat to support the promotion of international law;

25. *Recognizes* the importance of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, expresses its serious concern regarding the lack of resources, which is preventing the implementation of the twenty-second and future awards, advises the Secretary-General to continue to finance the Fellowship from resources made available through an appropriate Office of Legal Affairs trust fund, and urges Member States and others in a position to do so to contribute to the further development of the Fellowship;

26. *Takes note with satisfaction* of the ongoing implementation of the United Nations and the Nippon Foundation Fellowship Programme, focusing on human resources development for developing coastal States parties and non-parties to the Convention in the field of ocean affairs and the law of the sea or related disciplines;

III

Meeting of States Parties

27. *Welcomes* the report of the eighteenth Meeting of States Parties to the Convention;[131]

28. *Requests* the Secretary-General to convene the nineteenth Meeting of States Parties in New York, from 22 to 26 June 2009, and to provide the services required;

IV

Peaceful settlement of disputes

29. *Notes with satisfaction* the continued and significant contribution of the Tribunal to the settlement of disputes by peaceful means in accordance with Part XV of the Convention, and underlines the important role and authority of the Tribunal concerning the interpretation or application of the Convention and the Part XI Agreement;

30. *Equally pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

31. *Notes* that States parties to an international agreement related to the purposes of the Convention may submit to, inter alia, the Tribunal or the International Court of Justice any dispute concerning the interpretation or application of that agreement submitted in accordance with that agreement, and notes also the possibility, provided for in the statutes of the Tribunal and the Court, to submit disputes to a chamber;

32. *Encourages* States parties to the Convention that have not yet done so to consider making a written declaration choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention and the Part XI

Agreement, bearing in mind the comprehensive character of the dispute settlement mechanism provided for in Part XV of the Convention;

V

The Area

33. *Notes* the progress made by the Authority in its deliberations, encourages the finalization of the regulations for prospecting and exploration for polymetallic sulphides as soon as possible and progress on the regulations for prospecting and exploration for cobalt-rich ferromanganese crusts in the Area, and reiterates the importance of the ongoing elaboration by the Authority, pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, for, inter alia, the protection and conservation of the natural resources of the Area, and for the prevention of damage to the flora and fauna of the marine environment from harmful effects that may arise from activities in the Area;

34. *Also notes* the importance of the responsibilities entrusted to the Authority by articles 143 and 145 of the Convention, which refer to marine scientific research and protection of the marine environment, respectively;

VI

Effective functioning of the Authority and the Tribunal

35. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and also appeals to States parties in arrears with their contributions to fulfil their obligations without delay;

36. *Urges* all States parties to the Convention to attend the sessions of the Authority, and calls upon the Authority to continue to pursue all options, including making concrete recommendations on the issue of dates, in order to improve attendance in Kingston and to ensure global participation;

37. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal[142] and to the Protocol on the Privileges and Immunities of the Authority;[143]

38. *Emphasizes* the importance of the Tribunal's rules and staff regulations promoting the recruitment of a geographically representative staff in the Professional and higher categories, and welcomes the actions taken by the Tribunal in observance of those rules and regulations;

VII

The continental shelf and the work of the Commission

39. *Encourages* States parties to the Convention to make every effort to submit information to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, in conformity with article 76 of the Convention and article 4 of annex II to the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention contained in SPLOS/72, paragraph (*a*);

40. *Recognizes* the decision of the eighteenth Meeting of States Parties to the Convention[144] that it is understood that the time period referred to in article 4 of annex II to the Convention and the decision contained in SPLOS/72, paragraph (*a*), may be satisfied by submitting to the Secretary-General preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles and a description of the status of preparation and intended date of submission in accordance with the requirements of article 76 of the Convention and with the rules of procedure[145] and the Scientific and Technical Guidelines of the Commission;[146]

41. *Notes with satisfaction* the progress in the work of the Commission,[147] that it is giving current consideration to a number of submissions that have been made regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles and that a number of States have advised of their intention to make submissions in the near future;

42. *Takes note* of the recommendations made by the Commission on the submissions of a number of States, and welcomes the fact that summaries of recommendations have been made publicly available;[135]

43. *Notes* that the anticipated heavy workload of the Commission, owing to an increasing number of submissions, places additional demands on its members and the Division, and in that regard emphasizes the need to ensure that the Commission can perform its functions efficiently and effectively and maintain its high level of quality and expertise;

44. *Takes note* of the decision of the seventeenth Meeting of States Parties to the Convention to continue to address, as a matter of priority, issues related to the workload of the Commission, including funding for its members attending the sessions of the Commission and the meetings of the subcommissions;[148]

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[142] United Nations, *Treaty Series*, vol. 2167, No. 37925.

[143] Ibid., vol. 2214, No. 39357.

[144] SPLOS/183, para. 1 (a).

[145] CLCS/40/Rev.1.

[146] CLCS/11 and Corr.1 and Add.1 and Add.1/Corr.1.

[147] CLCS/58 and CLCS/60.

[148] See SPLOS/162.

45. *Calls upon* States whose experts are serving on the Commission to do their utmost to ensure the full participation of those experts in the work of the Commission, including the meetings of subcommissions, in accordance with the Convention;

46. *Requests* the Secretary-General to take appropriate measures, including in the context of the proposed programme budget for the biennium 2010–2011, to further strengthen the capacity of the Division, serving as the secretariat of the Commission, in order to adequately increase the Division's support and assistance to the Commission and its subcommissions, in their consideration of a growing number of submissions, as required by paragraph 9 of annex III to the rules of procedure of the Commission, and taking into account the need for simultaneous work on several submissions;

47. *Urges* the Secretary-General to continue to provide all necessary secretariat services to the Commission in accordance with article 2, paragraph 5, of annex II to the Convention;

48. *Encourages* States to make additional contributions to the voluntary trust fund established by resolution 55/7 for the purpose of facilitating the preparation of submissions to the Commission and to the voluntary trust fund also established by that resolution for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission;

49. *Approves* the convening by the Secretary-General of the twenty-third and twenty-fourth sessions of the Commission, in New York, from 2 March to 9 April 2009 and from 10 August to 11 September 2009, respectively, on the understanding that the following periods will be used for the technical examination of submissions at the Geographic Information System laboratories and other technical facilities of the Division: 2 to 20 March 2009; 6 to 9 April 2009; 10 to 21 August 2009; and 8 to 11 September 2009;

50. *Expresses its firm conviction* about the importance of the work of the Commission, carried out in accordance with the Convention, including with respect to the participation of coastal States in relevant proceedings concerning their submissions, and recognizes the continued need for active interaction between coastal States and the Commission;

51. *Encourages* States to continue exchanging views in order to increase understanding of issues, including expenditures involved, arising from the application of article 76 of the Convention, thus facilitating the preparation of submissions by States, in particular developing States, to the Commission;

52. *Requests* the Secretary-General, in cooperation with Member States, to continue supporting workshops or symposiums on scientific and technical aspects of the establishment of the outer limits of the continental shelf beyond 200 nautical miles, taking into account the need to strengthen capacity-building for developing countries in preparing their submissions;

VIII

Maritime safety and security and flag State implementation

53. *Encourages* States to ratify or accede to international agreements addressing the safety and security of navigation, as well as maritime labour, and to adopt the necessary measures consistent with the Convention and other relevant international instruments aimed at implementing and enforcing the rules contained in those agreements, and emphasizes the need for capacity-building for and assistance to developing States;

54. *Recognizes* that the legal regimes governing maritime security and maritime safety may have common and mutually reinforcing objectives that may be interrelated and could benefit from synergies, and encourages States to take this into account in their implementation;

55. *Emphasizes* that security and safety measures should be implemented with minimal negative effects on seafarers and fishers, especially in relation to their working conditions;

56. *Invites* all States to ratify or accede to the Maritime Labour Convention, 2006, the Work in Fishing Convention, 2007 (No. 188) and the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) of the International Labour Organization and to effectively implement those Conventions, and emphasizes the need to provide technical cooperation and assistance in that regard;

57. *Emphasizes* the need for further efforts to promote a culture of safety and security in the shipping industry and to address the shortage of adequately trained personnel, notes the importance of the process in the International Maritime Organization to review the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978,[149] and urges the establishment of more centres to provide the required education and training;

58. *Welcomes* ongoing cooperation among the Food and Agriculture Organization of the United Nations, the International Maritime Organization and the International Labour Organization relating to the safety of fishers and fishing vessels, underlines the urgent need for continued work in that area, and takes note of discussions in the Food and Agriculture Organization of the United Nations on the merit of an international plan of action in this area;

59. *Notes* the holding of the ninth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and welcomes further cooperation with the

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[149] United Nations, *Treaty Series*, vol. 1361, No. 23001.

International Maritime Organization on regulations on the prevention of pollution from ships;[150]

60. *Recalls* that all actions taken to combat threats to maritime security must be in accordance with international law, including the principles embodied in the Charter and the Convention;

61. *Recognizes* the crucial role of international cooperation at the global, regional, subregional and bilateral levels in combating, in accordance with international law, threats to maritime security, including piracy, armed robbery at sea, terrorist acts against shipping, offshore installations and other maritime interests, through bilateral and multilateral instruments and mechanisms aimed at monitoring, preventing and responding to such threats, the enhanced sharing of information among States relevant to the detection, prevention and suppression of such threats, and the prosecution of offenders with due regard to national legislation, and the need for sustained capacity-building to support such objectives;

62. *Emphasizes* the importance of prompt reporting of incidents to enable accurate information on the scope of the problem of piracy and armed robbery against ships and, in the case of armed robbery against ships, by affected vessels to the coastal State, underlines the importance of effective information-sharing with States potentially affected by incidents of piracy and armed robbery against ships, and takes note of the important role of the International Maritime Organization;

63. *Calls upon* States to take appropriate steps under their national law to facilitate the apprehension and prosecution of those who are alleged to have committed acts of piracy;

64. *Urges* all States, in cooperation with the International Maritime Organization, to actively combat piracy and armed robbery at sea by adopting measures, including those relating to assistance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention, reporting and investigation of incidents, bringing the alleged perpetrators to justice, in accordance with international law, and by adopting national legislation, as well as providing enforcement vessels and equipment and guarding against fraudulent ship registration;

65. *Welcomes* the significant decrease in the number of attacks by pirates and armed robbers in the Asian region through increased national, bilateral and trilateral initiatives as well as regional cooperative mechanisms, and calls upon other States to give immediate attention to adopting, concluding and implementing cooperation agreements at the regional level on combating piracy and armed robbery against ships;

66. *Expresses serious concern* regarding the problem of increased instances of piracy and armed robbery at sea off the coast of Somalia, expresses alarm in particular at the recent hijacking of vessels, supports the recent efforts to address this problem at the global and regional levels, notes the adoption by the Security Council of resolutions 1816 (2008) of 2 June 2008 and 1838 (2008) of 7 October 2008 and also notes that the authorization in resolution 1816 (2008) and the provisions in resolution 1838 (2008) apply only to the situation in Somalia and do not affect the rights, obligations or responsibilities of Member States under international law, including any rights or obligations under the Convention, with respect to any other situation, and underscores in particular the fact that they are not to be considered as establishing customary international law;

67. *Notes* the initiatives of the Secretary-General of the International Maritime Organization, following up on resolution A.1002(25) adopted by the Assembly of the International Maritime Organization on 29 November 2007, to engage the international community in efforts to combat acts of piracy and armed robbery against ships sailing the waters off the coast of Somalia;

68. *Urges* States to ensure the full implementation of resolution A.1002(25) on acts of piracy and armed robbery against ships in waters off the coast of Somalia;

69. *Calls upon* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[151] invites States to consider becoming parties to the 2005 Protocols amending those instruments,[152] and urges States parties to take appropriate measures to ensure the effective implementation of those instruments through the adoption of legislation, where appropriate;

70. *Also calls upon* States to effectively implement the International Ship and Port Facility Security Code and the amendments to the International Convention for the Safety of Life at Sea,[153] and to work with the International Maritime Organization to promote safe and secure shipping while ensuring freedom of navigation;

71. *Urges* all States, in cooperation with the International Maritime Organization, to improve the protection of offshore installations by adopting measures related to the prevention, reporting and investigation of acts of violence against installations, in accordance with international law, and by implementing such measures through national legislation to ensure proper and adequate enforcement;

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[150] See UNEP/CHW.9/39, annex I, decision IX/12.

[151] United Nations, *Treaty Series*, vol. 1678, No. 29004.

[152] International Maritime Organization, documents LEG/CONF.15/21 and 22.

[153] International Maritime Organization, documents SOLAS/CONF.5/32 and 34, as well as resolution MSC.202(81) introducing the long-range identification and tracking of ships system.

72. *Welcomes* the progress in regional cooperation, including the Jakarta, Kuala Lumpur and Singapore Statements on Enhancement of Safety, Security and Environmental Protection in the Straits of Malacca and Singapore, adopted on 8 September 2005,[154] 20 September 2006[155] and 6 September 2007,[156] respectively, especially the formal establishment of the Cooperative Mechanism on safety of navigation and environmental protection to promote dialogue and facilitate close cooperation between the littoral States, user States, shipping industry and other stakeholders in line with article 43 of the Convention, and in implementing the Marine Electronic Highway Demonstration Project for the Straits of Malacca and Singapore,[157] notes with appreciation the important role of the Information Sharing Centre of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, based in Singapore, and calls upon States to give immediate attention to adopting, concluding and implementing cooperation agreements at the regional level;

73. *Recognizes* that some transnational organized criminal activities threaten legitimate uses of the oceans and endanger the lives of people at sea;

74. *Notes* that transnational organized criminal activities are diverse and may be interrelated in some cases and that criminal organizations are adaptive and take advantage of the vulnerabilities of States, in particular coastal and small island developing States in transit areas, and calls upon States and relevant intergovernmental organizations to increase cooperation and coordination at all levels to detect and suppress the smuggling of migrants and trafficking in persons, in accordance with international law;

75. *Recognizes* the importance of enhancing international cooperation at all levels to fight transnational organized criminal activities, including illicit traffic in narcotic drugs and psychotropic substances, within the scope of the United Nations instruments against illicit drug trafficking, as well as the smuggling of migrants and trafficking in persons and criminal activities at sea falling within the scope of the United Nations Convention against Transnational Organized Crime;[158]

76. *Calls upon* States that have not yet done so to become parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[159] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[160] and to take appropriate measures to ensure their effective implementation;

77. *Calls upon* States to ensure freedom of navigation, the safety of navigation and the rights of transit passage, archipelagic sea lanes passage and innocent passage in accordance with international law, in particular the Convention;

78. *Welcomes* the work of the International Maritime Organization relating to the protection of shipping lanes of strategic importance and significance, and in particular in enhancing safety, security and environmental protection in straits used for international navigation, and calls upon the International Maritime Organization, States bordering straits and user States to continue their cooperation to keep such straits safe, secure and environmentally protected and open to international navigation at all times, consistent with international law, in particular the Convention;

79. *Calls upon* user States and States bordering straits used for international navigation to continue to cooperate by agreement on matters relating to navigational safety, including safety aids for navigation, and the prevention, reduction and control of pollution from ships, and welcomes developments in this regard;

80. *Takes note* of the adoption of the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident,[161] which will take effect on 1 January 2010 upon the entry into force of the amendments to regulation XI-1/6 of the International Convention for the Safety of Life at Sea, 1974;[162]

81. *Calls upon* States to consider becoming members of the International Hydrographic Organization, and urges all States to work with that Organization to increase the coverage of hydrographic information on a global basis to enhance capacity-building and technical assistance and to promote safe navigation, especially in areas used for international navigation, in ports and where there are vulnerable or protected marine areas;

82. *Notes* the progress in the implementation of the Action Plan for the Safety of Transport of Radioactive Material, approved by the Board of Governors of the International Atomic Energy Agency in March 2004,[163] and encourages States concerned to continue their efforts in the implementation of all areas of the Action Plan;

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[154] A/60/529, annex II.

[155] A/61/584, annex.

[156] A/62/518, annex.

[157] See International Maritime Organization, document IMO/SGP.2.1/1.

[158] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[159] Ibid., vol. 2241, No. 39574.

[160] Ibid., vol. 2237, No. 39574.

[161] International Maritime Organization, document MSC 84/24/Add.1, annex 1, resolution MSC.255(84).

[162] International Maritime Organization, document MSC 84/24/Add.1, annex 3, resolution MSC.257(84).

[163] Available from www-ns.iaea.org.

83. *Also notes* that cessation of the transport of radioactive materials through the regions of small island developing States is an ultimate desired goal of small island developing States and some other countries, and recognizes the right of freedom of navigation in accordance with international law; that States should maintain dialogue and consultation, in particular under the auspices of the International Atomic Energy Agency and the International Maritime Organization, with the aim of improved mutual understanding, confidence-building and enhanced communication in relation to the safe maritime transport of radioactive materials, that States involved in the transport of such materials are urged to continue to engage in dialogue with small island developing States and other States to address their concerns; and that these concerns include the further development and strengthening, within the appropriate forums, of international regulatory regimes to enhance safety, disclosure, liability, security and compensation in relation to such transport;

84. *Acknowledges*, in the context of paragraph 83 above, the potential environmental and economic impacts of maritime incidents and accidents on coastal States, in particular those related to the transport of radioactive materials, and emphasizes the importance of effective liability regimes in that regard;

85. *Encourages* States to draw up plans and to establish procedures to implement the Guidelines on Places of Refuge for Ships in Need of Assistance;[164]

86. *Invites* States to consider becoming parties to the Nairobi International Convention on the Removal of Wrecks, 2007;[165]

87. *Requests* States to take appropriate measures with regard to ships flying their flag or of their registry to address hazards that may be caused by wrecks and drifting or sunken cargo to navigation or the marine environment;

88. *Calls upon* States to ensure that masters on ships flying their flag take the steps required by relevant instruments[166] to provide assistance to persons in distress at sea, and urges States to cooperate and to take all necessary measures to ensure the effective implementation of the amendments to the International Convention on Maritime Search and Rescue[167] and to the International Convention for the Safety of Life at Sea[168] relating to the delivery of persons rescued at sea to a place of safety, as well as of the associated Guidelines on the Treatment of Persons Rescued at Sea;[169]

89. *Recognizes* that all States must fulfil their search and rescue responsibilities and the ongoing need for the International Maritime Organization and other relevant organizations to assist, in particular, developing States both to increase their search and rescue capabilities, including through the establishment of additional rescue coordination centres and regional subcentres, and to take effective action to address, to the extent feasible, the issue of unseaworthy ships and small craft within their national jurisdiction;

90. *Welcomes* the ongoing work of the International Maritime Organization in relation to disembarkation of persons rescued at sea, and notes in this regard the need to implement all relevant international instruments;

91. *Also welcomes* the ongoing cooperation and coordination among members of the inter-agency group on the treatment of persons rescued at sea;

92. *Calls upon* States to continue to cooperate in developing comprehensive approaches to international migration and development, including through dialogue on all their aspects;

93. *Reaffirms* that flag, port and coastal States all bear responsibility for ensuring the effective implementation and enforcement of international instruments relating to maritime security and safety, in accordance with international law, in particular the Convention, and that flag States have primary responsibility that requires further strengthening, including through increased transparency of ownership of vessels;

94. *Urges* flag States without an effective maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to ensure effective compliance with, and implementation and enforcement of, their responsibilities under international law and, until such action is taken, to consider declining the granting of the right to fly their flag to new vessels, suspending their registry or not opening a registry, and calls upon flag and port States to take all measures consistent with international law necessary to prevent the operation of substandard vessels;

95. *Recognizes* that international shipping rules and standards adopted by the International Maritime Organization in respect of maritime safety, efficiency of navigation and the prevention and control of marine pollution, complemented by

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[164] International Maritime Organization, Assembly resolution A.949(23).

[165] International Maritime Organization, document LEG/CONF.16/19.

[166] The International Convention for the Safety of Life at Sea, 1974, the International Convention on Maritime Search and Rescue, 1979, as amended, the United Nations Convention on the Law of the Sea, 1982, and the International Convention on Salvage, 1989.

[167] International Maritime Organization, document MSC 78/26/Add.1, annex 5, resolution MSC.155(78).

[168] International Maritime Organization, document MSC 78/26/Add.1, annex 3, resolution MSC.153(78).

[169] International Maritime Organization, document MSC 78/26/Add.2, annex 34, resolution MSC.167(78).

best practices of the shipping industry, have led to a significant reduction in maritime accidents and pollution incidents, and encourages all States to participate in the Voluntary International Maritime Organization Member State Audit Scheme;[170]

96. *Also recognizes* that maritime safety can also be improved through effective port State control, the strengthening of regional arrangements and increased coordination and cooperation among them, and increased information-sharing, including among safety and security sectors;

97. *Encourages* flag States to take appropriate measures sufficient to achieve or maintain recognition by intergovernmental arrangements that recognize satisfactory flag State performance, including, as appropriate, satisfactory port State control examination results on a sustained basis, with a view to improving quality shipping and furthering flag State implementation of relevant instruments under the International Maritime Organization as well as relevant goals and objectives of the present resolution;

IX

Marine environment and marine resources

98. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures consistent with the Convention, directly or through competent international organizations, for the protection and preservation of the marine environment;

99. *Notes* the work of the Intergovernmental Panel on Climate Change, including its findings on the acidification of oceans, and in this regard encourages States and competent international organizations and other relevant institutions, individually and in cooperation, to urgently pursue further research on ocean acidification, especially programmes of observation and measurement, noting in particular paragraph 4 of decision IX/20 adopted at the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Bonn, Germany, from 19 to 30 May 2008,[171] and to increase national, regional and international efforts to address levels of ocean acidity and the projected negative impact of such acidity on vulnerable marine ecosystems, particularly coral reefs;

100. *Encourages* States, individually or in collaboration with relevant international organizations and bodies, to enhance their scientific activity to better understand the effects of climate change on the marine environment and marine biodiversity and develop ways and means of adaptation;

101. *Also encourages* States to ratify or accede
international agreements addressing the protection
preservation of the marine environment and its living ma
resources against the introduction of harmful aquatic organi
and pathogens and marine pollution from all sources, inclu
the dumping of wastes and other matter, and other form
physical degradation, as well as agreements that provide
preparedness for, response to and cooperation on pollu
incidents and that include provisions on liability
compensation for damage resulting from marine pollution,
to adopt the necessary measures consistent with the Conven
aimed at implementing and enforcing the rules containe
those agreements;

102. *Further encourages* States, directly or thro
competent international organizations, to consider the fur
development, as appropriate and consistent with
Convention, of environmental impact assessment proce
covering planned activities under their jurisdiction or co
that may cause substantial pollution of or significant
harmful changes to the marine environment;

103. *Encourages* States to become parties to regi
seas conventions addressing the protection and preservatio
the marine environment;

104. *Also encourages* States, in accordance with
Convention and other relevant instruments, either bilaterall
regionally, to jointly develop and promote contingency plans
responding to pollution incidents, as well as other incidents
are likely to have significant adverse effects on the ma
environment and biodiversity;

105. *Welcomes* the World Ocean Conference, to be
in Manado, Indonesia, from 11 to 15 May 2009, as
opportunity to enhance understanding of the link betw
oceans and climate change and the impact of climate chang
marine ecosystems and coastal communities, thus promo
the urgency of mainstreaming climate change-sensitive poli
and enhancing adaptation capacity at all levels, especi
among developing countries and small island developing Sta

106. *Welcomes* the activities of the United Nat
Environment Programme relating to marine debris carried
in cooperation with relevant United Nations bodies
organizations, and encourages States to further dev
partnerships with industry and civil society to raise awarenes
the extent of the impact of marine debris on the health
productivity of the marine environment and consequ
economic loss;

107. *Urges* States to integrate the issue of marine de
into national strategies dealing with waste management in
coastal zone, ports and maritime industries, including recycl
reuse, reduction and disposal, and to encourage
development of appropriate economic incentives to address
issue, including the development of cost recovery systems
provide an incentive to use port reception facilities

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[170] International Maritime Organization, Assembly resolution A.946(23).

[171] See UNEP/CBD/COP/9/29, annex I.

discourage ships from discharging marine debris at sea, and encourages States to cooperate regionally and subregionally to develop and implement joint prevention and recovery programmes for marine debris;

108. *Encourages* States that have not done so to become parties to the Protocol of 1997 (Annex VI-Regulations for the Prevention of Air Pollution from Ships) to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and furthermore to ratify or accede to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004,[172] thereby facilitating its early entry into force;

109. *Notes* the ongoing work of the International Maritime Organization in accordance with its resolution on International Maritime Organization policies and practices related to the reduction of greenhouse gas emissions from ships[173] and the workplan to identify and develop the mechanism or mechanisms needed to achieve the limitation or reduction of greenhouse gas emissions from international shipping, and welcomes ongoing efforts of the Organization in that regard;

110. *Urges* States to cooperate in correcting the shortfall in port waste reception facilities in accordance with the action plan to address the inadequacy of port waste reception facilities developed by the International Maritime Organization;

111. *Recognizes* that most of the pollution load of the oceans emanates from land-based activities and affects the most productive areas of the marine environment, and calls upon States as a matter of priority to implement the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities[174] and to take all appropriate measures to fulfil the commitments of the international community embodied in the Beijing Declaration on furthering the implementation of the Global Programme of Action;[175]

112. *Expresses its concern* regarding the spreading of hypoxic dead zones in oceans as a result of eutrophication fuelled by riverine run-off of fertilizers, sewage outfall and reactive nitrogen resulting from the burning of fossil fuels and resulting in serious consequences for ecosystem functioning, and calls upon States to enhance their efforts to reduce eutrophication and, to this effect, to continue to cooperate within the framework of relevant international organizations, in particular the Global Programme of Action;

113. *Calls upon* all States to ensure that urban and coastal development projects and related land-reclamation activities are carried out in a responsible manner that protects the marine habitat and environment and mitigates the negative consequences of such activities;

114. *Welcomes* the continued work of States, the United Nations Environment Programme and regional organizations in the implementation of the Global Programme of Action, and encourages increased emphasis on the link between freshwater, the coastal zone and marine resources in the implementation of international development goals, including those contained in the United Nations Millennium Declaration,[133] and of the time-bound targets in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[134] in particular the target on sanitation, and the Monterrey Consensus of the International Conference on Financing for Development;[176]

115. *Also welcomes* the resolution of the thirtieth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 ("the London Convention") and the third Meeting of Contracting Parties to the London Protocol, held from 27 to 31 October 2008, on the regulation of ocean fertilization,[177] in which the Contracting Parties agreed, inter alia, that the scope of the London Convention and Protocol includes ocean fertilization activities and that, given the present state of knowledge, ocean fertilization activities other than for legitimate scientific research should not be allowed, and that scientific research proposals should be assessed on a case-by-case basis using an assessment framework to be developed by the scientific groups under the London Convention and Protocol, and also agreed that, to this end, such other activities should be considered as contrary to the aims of the London Convention and Protocol and should not currently qualify for any exemption from the definition of dumping in article III, paragraph 1(*b*), of the London Convention and article 1, paragraph 4.2, of the London Protocol;

116. *Further welcomes* decision IX/16 C adopted at the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity,[171] in which the Conference of the Parties, inter alia, bearing in mind the ongoing scientific and legal analysis occurring under the auspices of the London Convention and Protocol, requested parties and urged other Governments, in accordance with the precautionary approach, to ensure that ocean fertilization activities were not carried out until there was an adequate scientific basis on which to justify such activities, including an assessment of associated risks, and

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[172] International Maritime Organization, document BWM/CONF/36, annex.

[173] International Maritime Organization, Assembly resolution A.963(23).

[174] See A/51/116, annex II.

[175] UNEP/GPA/IGR.2/7, annex V.

[176] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[177] International Maritime Organization, document LC 30/16, annex 6, resolution LC-LP.1 (2008).

that a global, transparent and effective control and regulatory mechanism was in place for those activities, with the exception of small-scale scientific research studies within coastal waters, and stated that such studies should be authorized only if justified by the need to gather specific scientific data, should be subject to a thorough prior assessment of the potential impacts of the research studies on the marine environment, should be strictly controlled and should not be used for generating and selling carbon offsets or for any other commercial purposes;

117. *Reaffirms* paragraph 119 of resolution 61/222 of 20 December 2006 regarding ecosystem approaches and oceans, including the proposed elements of an ecosystem approach, means to achieve implementation of an ecosystem approach and requirements for improved application of an ecosystem approach, and in this regard:

(*a*) Notes that continued environmental degradation in many parts of the world and increasing competing demands require an urgent response and the setting of priorities for management actions aimed at conserving ecosystem integrity;

(*b*) Notes that ecosystem approaches to ocean management should be focused on managing human activities in order to maintain and, where needed, restore ecosystem health to sustain goods and environmental services, provide social and economic benefits for food security, sustain livelihoods in support of international development goals, including those contained in the Millennium Declaration, and conserve marine biodiversity;

(*c*) Recalls that States should be guided in the application of ecosystem approaches by a number of existing instruments, in particular the Convention, which sets out the legal framework for all activities in the oceans and seas, and its implementing Agreements, as well as other commitments, such as those contained in the Convention on Biological Diversity[178] and the World Summit on Sustainable Development call for the application of an ecosystem approach by 2010;

(*d*) Encourages States to cooperate and coordinate their efforts and take, individually or jointly, as appropriate, all measures, in conformity with international law, including the Convention and other applicable instruments, to address impacts on marine ecosystems within and beyond areas of national jurisdiction, taking into account the integrity of the ecosystems concerned;

118. *Invites* States, in particular those States with advanced technology and marine capabilities, to explore prospects for improving cooperation with, and assistance to, developing States, in particular least developed countries and small island developing States, as well as coastal African States, with a view to better integrating into national policies and programmes sustainable and effective development marine sector;

119. *Encourages* the competent inter organizations, the United Nations Development Prog the World Bank and other funding agencies to expanding their programmes within their respective competence for assistance to developing countries coordinate their efforts, including in the allocati application of Global Environment Facility funding;

120. *Welcomes* the study prepared by the Se pursuant to paragraph 88 of resolution 61/222[179] information provided in relation to the assistance ava and measures that may be taken by developing St particular the least developed countries and small developing States, as well as coastal African States, to the benefits of sustainable and effective development o resources and uses of the oceans within the limits of jurisdiction, takes note of the information provided b and competent international organizations and glo regional funding agencies, and urges them to provide information for the annual report of the Secretary-Gen for incorporation on the website of the Division;

X

Marine biodiversity

121. *Reaffirms* its role relating to the conservat sustainable use of marine biological diversity beyond national jurisdiction, notes the work of States and complementary intergovernmental organizations and b those issues, including the Convention on Biological and the Food and Agriculture Organization of the Nations, and invites them to contribute to its consider these issues within the areas of their respective competen

122. *Notes* the discussion on the relevant legal re marine genetic resources in areas beyond national jurisd accordance with the Convention, and calls upon States t consider this issue in the context of the mandate of the Open-ended Informal Working Group, with a view to further progress on this issue;

123. *Recognizes* the abundance and diversity of genetic resources and their value in terms of the benefit and services they can provide;

124. *Also recognizes* the importance of resea marine genetic resources for the purpose of enhanc scientific understanding, potential use and applicati enhanced management of marine ecosystems;

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[178] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[179] A/63/342.

125. *Encourages* States and international organizations, including through bilateral, regional and global cooperation programmes and partnerships, to continue in a sustainable and comprehensive way to support, promote and strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research, taking into account, in particular, the need to create greater taxonomic capabilities;

126. *Welcomes* the meeting of the Ad Hoc Open-ended Informal Working Group, established by the General Assembly in paragraph 73 of resolution 59/24 of 17 November 2004 to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, convened in accordance with paragraph 91 of resolution 61/222 and paragraph 105 of resolution 62/215, in New York from 28 April to 2 May 2008;

127. *Takes note* of the joint statement of the Co-Chairpersons of the Ad Hoc Open-ended Informal Working Group,[129] and requests the Secretary-General to convene, in accordance with paragraph 73 of resolution 59/24 and paragraphs 79 and 80 of resolution 60/30, with full conference services, a meeting of the Working Group in 2010 to provide recommendations to the General Assembly;

128. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session to assist the Ad Hoc Open-ended Informal Working Group in preparing its agenda, in consultation with all relevant international bodies, and to arrange for the provision of support for the performance of its work by the Division;

129. *Encourages* States to include relevant experts in their delegations attending the meeting of the Ad Hoc Open-ended Informal Working Group;

130. *Recognizes* the importance of making the outcomes of the Ad Hoc Open-ended Informal Working Group widely available;

131. *Notes* the work under the Jakarta Mandate on Marine and Coastal Biological Diversity[180] and the Convention on Biological Diversity elaborated programme of work on marine and coastal biological diversity,[181] as well as the relevant decisions adopted at the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity;[171]

132. *Reaffirms* the need for States, individually or through competent international organizations, to urgently consider ways to integrate and improve, based on the best available scientific information and the precautionary approach and in accordance with the Convention and related agreements and instruments, the management of risks to the marine biodiversity of seamounts, cold water corals, hydrothermal vents and certain other underwater features;

133. *Calls upon* States and international organizations to urgently take further action to address, in accordance with international law, destructive practices that have adverse impacts on marine biodiversity and ecosystems, including seamounts, hydrothermal vents and cold water corals;

134. *Reaffirms* the need for States to continue and intensify their efforts, directly and through competent international organizations, to develop and facilitate the use of diverse approaches and tools for conserving and managing vulnerable marine ecosystems, including the possible establishment of marine protected areas, consistent with international law, as reflected in the Convention, and based on the best scientific information available, and the development of representative networks of any such marine protected areas by 2012;

135. *Notes* the work of States, relevant intergovernmental organizations and bodies, including the Convention on Biological Diversity, in the assessment of scientific information on, and compilation of ecological criteria for the identification of, marine areas that require protection, in light of the objective of the World Summit on Sustainable Development to develop and facilitate the use of diverse approaches and tools, such as the establishment of marine protected areas consistent with international law as reflected in the Convention and based on scientific information, including representative networks by 2012,[134] and notes with satisfaction that the Conference of the Parties to the Convention on Biological Diversity at its ninth meeting adopted scientific criteria for identifying ecologically or biologically significant marine areas in need of protection in open-ocean waters and deep-sea habitats and the scientific guidance for selecting areas to establish representative networks of marine protected areas, including in open-ocean waters and deep-sea habitats, and took note of the four initial steps to be considered in the development of representative networks of marine protected areas;[182]

136. *Acknowledges* the Micronesia Challenge, the Eastern Tropical Pacific Seascape project, the Caribbean Challenge and the Coral Triangle Initiative, which in particular seek to create and link domestic marine protected areas to better facilitate ecosystem approaches, and reaffirms the need for further international cooperation in support of such initiatives;

137. *Reiterates its support* for the International Coral Reef Initiative, takes note of the eleventh International Coral Reef Symposium and the International Coral Reef Initiative General Meeting, held respectively from 7 to 11 July and on 12 and 13 July 2008 in Fort Lauderdale, United States of America, supports the work under the Jakarta Mandate on

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[180] See A/51/312, annex II, decision II/10.

[181] UNEP/CBD/COP/7/21, annex, decision VII/5, annex I.

[182] UNEP/CBD/COP/9/29, annex I, decision IX/20, annexes I and II.

Marine and Coastal Biological Diversity and the elaborated programme of work on marine and coastal biological diversity related to coral reefs, and notes that the International Coral Reef Initiative is sponsoring the International Year of the Reef 2008;

138. *Encourages* States and relevant international institutions to improve efforts to address coral bleaching by, inter alia, improving monitoring to predict and identify bleaching events, supporting and strengthening action taken during such events and improving strategies to manage reefs to support their natural resilience and enhance their ability to withstand other pressures, including projected ocean acidification;

139. *Encourages* States to cooperate, directly or through competent international bodies, in exchanging information in the event of accidents involving vessels on coral reefs and in promoting the development of economic assessment techniques for both restoration and non-use values of coral reef systems;

140. *Emphasizes* the need to mainstream sustainable coral reef management and integrated watershed management into national development strategies, as well as into the activities of relevant United Nations agencies and programmes, international financial institutions and the donor community;

141. *Encourages* further studies and consideration of the impacts of ocean noise on marine living resources, and requests the Division to continue to compile the peer-reviewed scientific studies it receives from Member States pursuant to paragraph 107 of resolution 61/222 and, as appropriate, to make them, or references and links to them, available on its website;

XI

Marine science

142. *Calls upon* States, individually or in collaboration with each other or with relevant international organizations and bodies, to improve understanding and knowledge of the oceans and the deep sea, including, in particular, the extent and vulnerability of deep sea biodiversity and ecosystems, by increasing their marine scientific research activities in accordance with the Convention;

143. *Notes* the contribution of the Census of Marine Life to marine biodiversity research, and encourages participation in the initiative;

144. *Welcomes* the adoption by the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization of the guidelines for the implementation of resolution XX-6 of the Assembly of the Oceanographic Commission regarding the deployment of profiling floats in the high seas in the framework of the Argo Programme,[183] and encourages the Advisory Body of Experts on the Law of the Sea of the Oceanographic Commission to continue its work on the legal framework, within the context of the Convention, which is applicable to the collection of oceanographic data by other specific means;

145. *Notes* the preparation by the Division of a revision of *Marine Scientific Research: A guide to the implementation of the relevant provisions of the United Nations Convention on the Law of the Sea,*[184] with the assistance of a group of experts to be convened in early 2009, and encourages States to support this endeavour;

146. *Stresses* the importance of increasing the scientific understanding of the oceans/atmosphere interface, including through participation in ocean observing programmes and geographic information systems, such as the Global Ocean Observing System, a programme of the Intergovernmental Oceanographic Commission, particularly considering their role in monitoring and forecasting climate change and variability and in the establishment and operation of tsunami warning systems;

147. *Takes note with appreciation* of the progress made by the Intergovernmental Oceanographic Commission and Member States towards the establishment of regional and national tsunami warning and mitigation systems, welcomes the continued collaboration of the United Nations and other intergovernmental organizations in this effort, and encourages Member States to establish and sustain their national warning and mitigation systems, within a global, ocean-related multi-hazard approach, as necessary, to reduce loss of life and damage to national economies and strengthen the resilience of coastal communities to natural disasters;

148. *Notes* the outcome of the ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services, held under the auspices of the United Nations Environment Programme in Putrajaya, Malaysia, from 10 to 12 November 2008;[185]

XII

Regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

149. *Reiterates* the need to strengthen the regular scientific assessment of the state of the marine environment in order to enhance the scientific basis for policymaking;

150. *Recalls* that the Ad Hoc Steering Group was established by resolution 60/30 to oversee the execution of the

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[183] Resolution EC-XLI.4 of the Executive Council of the Intergovernmental Oceanographic Commission.

[184] United Nations publication, Sales No. E.91.V.3.

[185] See UNEP/IPBES/1/6.

"assessment of assessments" launched as a preparatory stage towards the establishment of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects;

151. *Notes with appreciation* the work carried out so far and progress made in the "assessment of assessments" by the Group of Experts established pursuant to resolution 60/30[186] and the support of the United Nations Environment Programme and the Intergovernmental Oceanographic Commission, the lead agencies of the "assessment of assessments", in providing secretariat services to the Ad Hoc Steering Group and the Group of Experts;

152. *Takes note* of the report of the third meeting of the Ad Hoc Steering Group for the "assessment of assessments", held in New York on 19 and 20 June 2008;[187]

153. *Also takes note* of the "assessment of assessments" progress report, endorsed by the Ad Hoc Steering Group and submitted by the United Nations Environment Programme and the Intergovernmental Oceanographic Commission to Member States, which provided the basis for an open-ended midterm review of the work and progress made so far in order to give all States Members of the United Nations an opportunity to comment on and contribute to the development of the ongoing work carried out under the "assessment of assessments" in accordance with paragraph 93 (*c*) of resolution 60/30;

154. *Urges* Member States and other interested parties to contribute financially to the "assessment of assessments" in order to enable its completion within the specified period, as indicated in the revised budget endorsed by the Ad Hoc Steering Group;

155. *Urges* all members of the Ad Hoc Steering Group to participate in the review of the completed "assessment of assessments" report and the summary for decision makers at the meeting of the Steering Group in 2009 and to interact, as appropriate, with the Group of Experts in its deliberations, bearing in mind their respective mandates;

156. *Recalls* that the report on the results of the "assessment of assessments" to be transmitted by the United Nations Environment Programme and the Intergovernmental Oceanographic Commission on behalf of the Ad Hoc Steering Group in accordance with paragraph 94 (*d*) of resolution 60/30 should be focused on the aims and expected outcomes identified in the conclusions of the second International Workshop on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects,[188] and paragraph 6 of the decision adopted by the Ad Hoc Steering Group at its first meeting[189] in order to facilitate the successful completion of the "assessment of assessments" phase;

157. *Decides* to establish an ad hoc working group of the whole to recommend a course of action to the General Assembly at its sixty-fourth session based on the outcomes of the fourth meeting of the Ad Hoc Steering Group, and requests the Secretary-General to convene its informal meeting for one week not later than September 2009;

XIII

Regional cooperation

158. *Notes* that there have been a number of initiatives at the regional level, in various regions, to further the implementation of the Convention, takes note in that context of the Caribbean-focused Assistance Fund, which is intended to facilitate, mainly through technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, takes note once again of the Fund for Peace: Peaceful Settlement of Territorial Disputes, established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and calls upon States and others in a position to do so to contribute to these funds;

XIV

Open-ended informal consultative process on oceans and the law of the sea

159. *Welcomes* the report on the work of the Consultative Process at its ninth meeting,[130] focused on the topic of maritime security and safety;

160. *Also welcomes* the work of the Consultative Process over the past nine years and the contribution of the Consultative Process to improving coordination and cooperation between States and strengthening the annual debate of the General Assembly on oceans and the law of the sea, further welcomes the attempts to improve and focus the work of the Consultative Process, and decides to continue the Consultative Process for the next two years, in accordance with resolution 54/33, with a further review of its effectiveness and utility by the Assembly at its sixty-fifth session;

161. *Recalls* the need to strengthen and improve the efficiency of the Consultative Process, and encourages States, intergovernmental organizations and programmes to provide guidance to the co-chairpersons to this effect, particularly before and during the preparatory meeting for the Consultative Process, and decides in this regard that the eleventh meeting of

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[186] See GRAME/GOE/3/2 and GRAME/GOE/4/1.

[187] See GRAME/AHSG/3/2.

[188] A/60/91, annex.

[189] A/61/GRAME/AHSG/1, annex II.

the Consultative Process shall be based on the decisions taken by the General Assembly at its sixty-fourth session, following the review of the Consultative Process at its tenth meeting;

162. *Requests* the Secretary-General to convene, in accordance with paragraphs 2 and 3 of resolution 54/33, the tenth meeting of the Consultative Process in New York from 17 to 19 June 2009, to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division, in cooperation with other relevant parts of the Secretariat, as appropriate;

163. *Expresses its serious concern* regarding the lack of resources available in the voluntary trust fund established by resolution 55/7 for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the Consultative Process, and urges States to make additional contributions to the trust fund;

164. *Decides* that those representatives from developing countries who are invited by the co-chairpersons, in consultation with Governments, to make presentations during the meetings of the Consultative Process shall receive priority consideration in the disbursement of funds from the voluntary trust fund established by resolution 55/7 in order to cover the costs of their travel, and shall also be eligible to receive daily subsistence allowance subject to the availability of funds after the travel costs of all other eligible representatives from those countries mentioned in paragraph 163 above have been covered;

165. *Also decides* that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea, the Consultative Process at its tenth meeting will focus its discussions on the implementation of the outcomes of the Consultative Process, including a review of its achievements and shortcomings in its first nine meetings, and the topic for its eleventh meeting will be decided at the sixty-fourth session of the General Assembly;

XV

Coordination and cooperation

166. *Encourages* States to work closely with and through international organizations, funds and programmes, as well as the specialized agencies of the United Nations system and relevant international conventions, to identify emerging areas of focus for improved coordination and cooperation and how best to address these issues;

167. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies, funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, as well as funding institutions, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

168. *Welcomes* the work done by the secretari
relevant United Nations specialized agencies, progra
funds and bodies and the secretariats of related organiz
and conventions to enhance inter-agency coordinatio
cooperation on ocean issues, including through UN-Ocea
inter-agency coordination mechanism on ocean and c
issues within the United Nations system;

169. *Encourages* continued updates to Member Sta
UN-Oceans regarding its priorities and initiatives, in par
with respect to the proposed participation in UN-Oceans;

XVI

Activities of the Division for Ocean Affairs and the Law of the Sea

170. *Expresses its appreciation* to the Secretary-G
for the annual comprehensive report on oceans and the l
the sea, prepared by the Division, as well as for the
activities of the Division, which reflect the high stand
assistance provided to Member States by the Division;

171. *Resolves* that, as from 2009, the United Natio
designate 8 June as World Oceans Day;

172. *Requests* the Secretary-General to continue to
out the responsibilities and functions entrusted to him
Convention and by the related resolutions of the G
Assembly, including resolutions 49/28 and 52/26, and to e
the allocation of appropriate resources to the Division f
performance of its activities under the approved budget f
Organization;

XVII

Sixty-fourth session of the General Assembly

173. *Requests* the Secretary-General to prepa
comprehensive report, in its current extensive format a
accordance with established practice, for the considerati
the General Assembly at its sixty-fourth session
developments and issues relating to ocean affairs and the l
the sea, including the implementation of the present resol
in accordance with resolutions 49/28, 52/26 and 54/33, a
make the section of the report related to the topic that
focus of the tenth meeting of the Consultative Process ava
at least six weeks in advance of the meeting of the Consul
Process;

174. *Emphasizes* the critical role of the a
comprehensive report of the Secretary-General, which inte
information on developments relating to the implementati
the Convention and the work of the Organization, its speci
agencies and other institutions in the field of ocean affairs a
law of the sea at the global and regional levels, and as a
constitutes the basis for the annual consideration and revi
developments relating to ocean affairs and the law of the s
the General Assembly as the global institution havin
competence to undertake such a review;

175. *Notes* that the report referred to in paragraph 173 above will also be submitted to States parties pursuant to article 319 of the Convention regarding issues of a general nature that have arisen with respect to the Convention;

176. *Also notes* the desire to further improve the efficiency of, and effective participation of delegations in, the informal consultations concerning the annual General Assembly resolution on oceans and the law of the sea and the resolution on sustainable fisheries, and decides to limit the period of the informal consultations on both resolutions to a maximum of four weeks in total and to ensure that the consultations are scheduled in such a way as to avoid overlap with the period during which the Sixth Committee is meeting and that the Division has sufficient time to produce the report referred to in paragraph 173 above, and invites States to submit text proposals for inclusion in the resolutions to the coordinators of the informal consultations at the earliest possible date;

177. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Oceans and the law of the sea".

RESOLUTION 63/112

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the basis of draft resolution A/63/L.43 and Add.1, sponsored by: Australia, Austria, Belgium, Belize, Brazil, Canada, Cape Verde, Cyprus, Denmark, Finland, France, Germany, Greece, Honduras, Iceland, Kenya, Luxembourg, Malta, Micronesia (Federated States of), Monaco, New Zealand, Norway, Palau, Portugal, Saint Lucia, Samoa, Slovenia, Spain, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America

63/112. Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

The General Assembly,

Reaffirming its resolutions 46/215 of 20 December 1991, 49/116 of 19 December 1994, and 50/24 and 50/25 of 5 December 1995, as well as its resolutions 56/13 of 28 November 2001, 58/14 of 24 November 2003, 59/25 of 17 November 2004, 60/31 of 29 November 2005, 61/105 of 8 December 2006 and 62/177 of 18 December 2007, and other relevant resolutions,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea ("the Convention"),[190] and bearing in mind the relationship between the Convention and the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Agreement"),[191]

Recognizing that, in accordance with the Convention, the Agreement sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on compliance and enforcement by the flag State and subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas, and specific provisions to address the requirements of developing States in relation to the conservation and management of straddling fish stocks and highly migratory fish stocks and the development of fisheries for such stocks,

Welcoming the fact that a growing number of States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, as well as subregional and regional fisheries management organizations and arrangements, have taken measures, as appropriate, towards the implementation of the provisions of the Agreement,

Welcoming also the recent ratifications of and accessions to the Agreement,

Welcoming further the work of the Food and Agriculture Organization of the United Nations and its Committee on Fisheries and the 2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing, adopted by the Ministerial Meeting on Fisheries of the Food and Agriculture Organization of the United Nations on 12 March 2005,[192] which calls for effective implementation of the various instruments already developed to ensure responsible fisheries, and recognizing that the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations ("the Code")[193] and its associated international plans of action set out principles and global standards of behaviour for responsible practices for conservation of fisheries resources and the management and development of fisheries,

Noting with concern that effective management of marine capture fisheries has been made difficult in some areas by unreliable information and data caused by unreported and misreported fish catch and fishing effort and that this lack of accurate data contributes to overfishing in some areas,

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[190] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[191] Ibid., vol. 2167, No. 37924.

[192] Food and Agriculture Organization of the United Nations, *Outcome of the Ministerial Meeting on Fisheries, Rome, 12 March 2005* (CL 128/INF/11), appendix B.

[193] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

Recognizing the significant contribution of sustainable fisheries to food security, income, wealth and poverty alleviation for present and future generations,

Recognizing also the urgent need for action at all levels to ensure the long-term sustainable use and management of fisheries resources through the wide application of the precautionary approach,

Expressing concern over the current and projected adverse effects of climate change on food security and the sustainability of fisheries, and noting in that regard the work of the Intergovernmental Panel on Climate Change, the Food and Agriculture Organization of the United Nations and the United Nations Environment Programme, including the findings that climate change is likely to have substantial impacts on commercial and artisanal fisheries and food security,

Noting the convening by the Food and Agriculture Organization of the United Nations of the Expert Workshop on Climate Change Implications for Fisheries and Aquaculture, in Rome from 7 to 9 April 2008,

Deploring the fact that fish stocks, including straddling fish stocks and highly migratory fish stocks, in many parts of the world are overfished or subject to sparsely regulated and heavy fishing efforts, as a result of, inter alia, illegal, unreported and unregulated fishing, inadequate flag State control and enforcement, including monitoring, control and surveillance measures, inadequate regulatory measures, harmful fisheries subsidies and overcapacity, and noting the report of the Food and Agriculture Organization of the United Nations, *The State of World Fisheries and Aquaculture 2006*,[194]

Noting the joint study by the World Bank and the Food and Agriculture Organization of the United Nations, *The Sunken Billions: The Economic Justification for Fisheries Reform*, and taking note of its conclusions, including that sustainable fisheries and reform of the global fisheries sector could generate additional economic growth and alternative livelihoods, and that reforms would need to include a reduction in fishing effort and fishing capacity,

Noting also the limited information available on measures taken by States to implement, individually and through regional fisheries management organizations and arrangements, the International Plan of Action for the Management of Fishing Capacity adopted by the Food and Agriculture Organization of the United Nations,[195]

Particularly concerned that illegal, unreported and unregulated fishing constitutes a serious threat to fish stocks and marine habitats and ecosystems, to the detriment of sustainable fisheries as well as the food security and the economies of many States, particularly developing States,

Concerned that some operators increasingly take advantage of the globalization of fishery markets to trade fishery products stemming from illegal, unreported and unregulated fishing and make economic profits from those operations, which constitutes an incentive for them to pursue their activities,

Recognizing that effective deterrence and combating of illegal, unreported and unregulated fishing has significant financial and other resource implications,

Recognizing also that illegal, unreported and unregulated fishing may give rise to safety and security concerns for individuals on vessels engaged in such activities,

Welcoming cooperation between the Food and Agriculture Organization of the United Nations and the International Maritime Organization, in particular in assisting States and regional fisheries management organizations and arrangements to combat illegal, unreported and unregulated fishing activities,

Recognizing the duty provided in the Convention, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas ("the Compliance Agreement"),[196] the Agreement and the Code for flag States to exercise effective control over fishing vessels flying their flag, and vessels flying their flag which provide support to fishing vessels, to ensure that the activities of such fishing and support vessels do not undermine the effectiveness of conservation and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Recalling paragraphs 65 and 66 of its resolution 62/177, and noting in this regard the convening by the Food and Agriculture Organization of the United Nations of the Expert Consultation on the Development of a Comprehensive Global Record of Fishing Vessels, in Rome from 25 to 28 February 2008, and the findings of the Expert Consultation regarding the development of a comprehensive global record,[197]

Noting the obligation of all States, in accordance with international law, as reflected in the relevant provisions of the Convention, to cooperate in the conservation and management of living marine resources, and recognizing the importance of coordination and cooperation at the global, regional, subregional as well as national levels in the areas, inter alia, of data collection, information-sharing, capacity-building and training for the conservation, management and sustainable development of marine living resources,

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[194] Available from www.fao.org/corp/publications/en.

[195] Available from www.fao.org/fishery/publications/en.

[196] United Nations, *Treaty Series*, vol. 2221, No. 39486.

[197] See *Food and Agriculture Organization of the United Nations, Report of the Expert Consultation on the Development of a Comprehensive Global Record of Fishing Vessels, Rome, 25–28 February 2008*, FAO Fisheries Report No. 865 (FIIT/R865 (En)).

Welcoming recent developments regarding recommended best practices for regional fisheries management organizations and arrangements that may help to strengthen their governance and promote their improved performance,

Calling attention to the need for States, individually and through regional fisheries management organizations and arrangements, to continue to develop and implement effective port State measures and schemes to combat overfishing and illegal, unreported and unregulated fishing, and the critical need for cooperation with developing States to build their capacity in this regard, taking note of the work of the Food and Agriculture Organization of the United Nations to develop a legally binding instrument on minimum standards for port State measures,

Noting that the Commission for the Conservation of Antarctic Marine Living Resources, the General Fisheries Commission for the Mediterranean, the North East Atlantic Fisheries Commission and the Northwest Atlantic Fisheries Organization have adopted port State measures, to be applied by their members, which include prohibition of entry and use of port services, including landing and trans-shipment, to vessels identified by those regional fisheries management organizations as engaged in illegal, unreported and unregulated fishing activities, and that those measures prevent and deter such activities,

Concerned that marine pollution from all sources, including vessels and, in particular, land-based sources, constitutes a serious threat to human health and safety, endangers fish stocks, marine biodiversity and marine and coastal habitats and has significant costs to local and national economies,

Recognizing that marine debris is a global transboundary pollution problem and that, due to the many different types and sources of marine debris, different approaches to their prevention and removal are necessary,

Noting that the contribution of sustainable aquaculture to global fish supplies continues to respond to opportunities in developing countries to enhance local food security and poverty alleviation and, together with the efforts of other aquaculture producing countries, will make a significant contribution to meeting future demands in fish consumption, bearing in mind article 9 of the Code, and therefore welcoming the adoption in 2007 of the Strategy and Outline Plan for Improving Information on Status and Trends of Aquaculture by the Food and Agriculture Organization of the United Nations[198] to improve knowledge and understanding of the status and trends of aquaculture,

Calling attention to the circumstances affecting fisheries in many developing States, in particular African States and small island developing States, and recognizing the urgent need for capacity-building, including the transfer of marine technology and in particular fisheries-related technology, to enhance the ability of such States to meet their obligations and exercise their rights under international instruments, in order to realize the benefits from fisheries resources,

Recognizing the need for appropriate measures to minimize by-catch, waste, discards, including high-grading, loss of fishing gear and other factors, which adversely affect fish stocks and may also have undesirable effects on the economies and food security of small island developing States, other developing coastal States, and subsistence fishing communities,

Recognizing also the need to further integrate ecosystem approaches into fisheries conservation and management and, more generally, the importance of applying ecosystem approaches to the management of human activities in the ocean, and noting in this regard the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem,[199] the work of the Food and Agriculture Organization of the United Nations related to guidelines for the implementation of the ecosystem approach to fisheries management and the importance of this approach to relevant provisions of the Agreement and the Code, as well as decision VII/11[200] and other relevant decisions of the Conference of the Parties to the Convention on Biological Diversity,

Recognizing further the economic and cultural importance of sharks in many countries, the biological importance of sharks in the marine ecosystem as key predatory species, the vulnerability of certain shark species to overexploitation, the fact that some are threatened with extinction, the need for measures to promote the long-term conservation, management and sustainable use of shark populations and fisheries, and the relevance of the International Plan of Action for the Conservation and Management of Sharks, adopted by the Food and Agriculture Organization of the United Nations in 1999,[195] in providing guidance on the development of such measures,

Reaffirming its support for the initiative of the Food and Agriculture Organization of the United Nations and relevant subregional and regional fisheries management organizations and arrangements on the conservation and management of sharks, while noting with concern that basic data on shark stocks and harvests continue to be lacking, that only a small number of countries have implemented the International Plan of Action for the Conservation and Management of Sharks, and that not all regional fisheries management organizations and arrangements have adopted conservation and management measures for directed shark fisheries,

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[198] Food and Agriculture Organization of the United Nations, *Decisions and Recommendations of the Third Session of the Sub-Committee on Aquaculture, Twenty-seventh Session of the Committee on Fisheries, Rome, 5–9 March 2007* (COFI/2007/5), appendix.

[199] E/CN.17/2002/PC.2/3, annex.

[200] See UNEP/CBD/COP/7/21, annex.

Expressing concern that the practice of large-scale pelagic drift-net fishing remains a threat to marine living resources, and emphasizing that efforts should be made to ensure that the implementation of resolution 46/215 in some parts of the world does not result in the transfer to other parts of the world of drift nets that contravene the resolution,

Expressing concern also over reports of continued losses of seabirds, particularly albatrosses and petrels, as well as other marine species, including sharks, fin-fish species and marine turtles, as a result of incidental mortality in fishing operations, particularly longline fishing, and other activities, while recognizing considerable efforts to reduce by-catch in longline fishing by States and through various regional fisheries management organizations and arrangements,

Taking note with appreciation of the report of the Secretary-General,[201] in particular its useful role in gathering and disseminating information on practices relating to the sustainable development of the world's living marine resources,

I
Achieving sustainable fisheries

1. *Reaffirms* the importance it attaches to the long-term conservation, management and sustainable use of the marine living resources of the world's oceans and seas and the obligations of States to cooperate to this end, in accordance with international law, as reflected in the relevant provisions of the Convention,[190] in particular the provisions on cooperation set out in Part V and Part VII, section 2, of the Convention, and where applicable, the Agreement;[191]

2. *Encourages* States to give due priority to the implementation of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[202] in relation to achieving sustainable fisheries;

3. *Urges* States, either directly or through appropriate subregional, regional or global organizations or arrangements, to intensify efforts to assess and address, as appropriate, the impacts of global climate change on the sustainability of fish stocks and the habitats that support them;

4. *Emphasizes* the obligations of flag States to discharge their responsibilities, in accordance with the Convention and the Agreement, to ensure compliance by vessels flying their flag with the conservation and management measures adopted and in force with respect to fisheries resources on the high seas;

5. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

6. *Calls upon* all States, directly or through regional fisheries management organizations and arrangements, to apply widely, in accordance with international law and the Code,[193] the precautionary approach and an ecosystem approach to the conservation, management and exploitation of fish stocks, including straddling fish stocks, highly migratory fish stocks and discrete high seas fish stocks, and also calls upon States parties to the Agreement to implement fully the provisions of article 6 of the Agreement as a matter of priority;

7. *Encourages* States to increase their reliance on scientific advice in developing, adopting and implementing conservation and management measures, and to increase their efforts to promote science for conservation and management measures that apply, in accordance with international law, the precautionary approach and an ecosystem approach to fisheries management, enhancing understanding of ecosystem approaches, in order to ensure the long-term conservation and sustainable use of marine living resources, and in this regard encourages the implementation of the Strategy for Improving Information on Status and Trends of Capture Fisheries of the Food and Agriculture Organization of the United Nations[203] as a framework for the improvement and understanding of fishery status and trends;

8. *Calls upon* all States, directly or through regional fisheries management organizations and arrangements, to apply stock-specific precautionary reference points, as described in Annex II to the Agreement and in the Code, to ensure that populations of harvested stocks, in particular straddling fish stocks, highly migratory fish stocks and discrete high seas fish stocks, and, where necessary, associated or dependent species, are maintained at, or restored to, sustainable levels, and to use these reference points for triggering conservation and management action;

9. *Encourages* States to apply the precautionary approach and an ecosystem approach in adopting and implementing conservation and management measures addressing, inter alia, by-catch, pollution, overfishing, and protecting habitats of specific concern, taking into account

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[201] A/63/128.

[202] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[203] Food and Agriculture Organization of the United Nations, *Report of the twenty-fifth session of the Committee on Fisheries, Rome, 24–28 February 2003*, FAO Fisheries Report No. 702 (FIPL/R702 (En)), appendix H.

existing guidelines developed by the Food and Agriculture Organization of the United Nations;

10. *Also encourages* the ongoing development of observer programmes by regional fisheries management organizations and arrangements to improve data collection on, inter alia, target and by-catch species, which could also assist monitoring, control and surveillance tools, and encourages States, both individually and collectively, where appropriate, to develop, fully implement, and, where necessary, continue to improve robust observer programmes, taking into account standards for such programmes developed by some regional fisheries management organizations and arrangements and the forms of cooperation with developing States as set out in article 25 of the Agreement and article 5 of the Code;

11. *Calls upon* States and regional fisheries management organizations and arrangements to collect and, where appropriate, report to the Food and Agriculture Organization of the United Nations required catch and effort data, and fishery-related information, in a complete, accurate and timely way, including for straddling fish stocks and highly migratory fish stocks within and beyond areas under national jurisdiction, discrete high seas fish stocks, and by-catch and discards; and, where they do not exist, to establish processes to strengthen data collection and reporting by members of regional fisheries management organizations and arrangements, including through regular reviews of member compliance with such obligations, and, when such obligations are not met, require the member concerned to rectify the problem, including through the preparation of plans of action with timelines;

12. *Invites* States and regional fisheries management organizations and arrangements to cooperate with the Food and Agriculture Organization of the United Nations in the implementation and further development of the Fisheries Resources Monitoring System initiative;

13. *Reaffirms* paragraph 10 of resolution 61/105, and calls upon States, including through regional fisheries management organizations or arrangements, to urgently adopt measures to fully implement the International Plan of Action for the Conservation and Management of Sharks[195] for directed and non-directed shark fisheries, based on the best available scientific information, through, inter alia, limits on catch or fishing effort, by requiring that vessels flying their flag collect and regularly report data on shark catches, including species-specific data, discards and landings, undertaking, including through international cooperation, comprehensive stock assessments of sharks, reducing shark by-catch and by-catch mortality, and, where scientific information is uncertain or inadequate, not increasing fishing effort in directed shark fisheries until measures have been established to ensure the long-term conservation, management and sustainable use of shark stocks and to prevent further declines of vulnerable or threatened shark stocks;

14. *Calls upon* States to take immediate and concerted action to improve the implementation of and compliance with existing regional fisheries management organization or arrangement and national measures that regulate shark fisheries, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with each fin naturally attached;

15. *Requests* the Food and Agriculture Organization of the United Nations to prepare a report containing a comprehensive analysis of the implementation of the International Plan of Action for the Conservation and Management of Sharks, as well as progress in implementing paragraph 11 of General Assembly resolution 62/177, for presentation to the Committee on Fisheries at its twenty-eighth session, in 2009;

16. *Urges* States to eliminate barriers to trade in fish and fisheries products which are not consistent with their rights and obligations under the World Trade Organization agreements, taking into account the importance of the trade in fish and fisheries products, particularly for developing countries;

17. *Urges* States and relevant international and national organizations to provide for the participation of small-scale fishery stakeholders in related policy development and fisheries management strategies in order to achieve long-term sustainability for such fisheries, consistent with the duty to ensure the proper conservation and management of fisheries resources;

II

Implementation of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

18. *Calls upon* all States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, that have not done so to ratify or accede to the Agreement and in the interim to consider applying it provisionally;

19. *Calls upon* States parties to the Agreement to harmonize, as a matter of priority, their national legislation with the provisions of the Agreement, and to ensure that the provisions of the Agreement are effectively implemented into regional fisheries management organizations and arrangements of which they are a member;

20. *Emphasizes* the importance of those provisions of the Agreement relating to bilateral, subregional and regional cooperation in enforcement, and urges continued efforts in this regard;

21. *Calls upon* all States to ensure that their vessels comply with the conservation and management measures that have been adopted by subregional and regional fisheries management organizations and arrangements in accordance with relevant provisions of the Convention and of the Agreement;

22. *Urges* States parties to the Agreement, in accordance with article 21, paragraph 4, thereof to inform, either directly or through the relevant subregional or regional fisheries management organization or arrangement, all States whose vessels fish on the high seas in the same subregion or region of the form of identification issued by those States parties to officials duly authorized to carry out boarding and inspection functions in accordance with articles 21 and 22 of the Agreement;

23. *Also urges* States parties to the Agreement, in accordance with article 21, paragraph 4 thereof, to designate an appropriate authority to receive notifications pursuant to article 21 and to give due publicity to such designation through the relevant subregional or regional fisheries management organization or arrangement;

24. *Invites* regional fisheries management organizations and arrangements which have not yet done so to adopt procedures for high seas boarding and inspection that are consistent with articles 21 and 22 of the Agreement;

25. *Calls upon* States, individually and, as appropriate, through subregional and regional fisheries management organizations and arrangements with competence over discrete high seas fish stocks, to adopt the necessary measures to ensure the long-term conservation, management and sustainable use of such stocks in accordance with the Convention and consistent with the Code and the general principles set forth in the Agreement;

26. *Invites* States to assist developing States in enhancing their participation in regional fisheries management organizations or arrangements, including by facilitating access to fisheries for straddling fish stocks and highly migratory fish stocks, in accordance with article 25, paragraph 1 (*b*), of the Agreement, taking into account the need to ensure that such access benefits the developing States concerned and their nationals;

27. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including developing their domestically flagged fishing fleet, value-added processing and the expansion of their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of fisheries resources;

28. *Encourages* States, intergovernmental organizations, international financial institutions, national institutions and non-governmental organizations, as well as natural and juridical persons, to make voluntary financial contributions to the Assistance Fund established under Part VII of the Agreement;

29. *Notes with satisfaction* that the Food and Agriculture Organization of the United Nations and the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat have taken measures to publicize the availability of assistance through the Assistance Fund;

30. *Encourages* accelerated progress by States, individually and, as appropriate, through subregional and regional fisheries management organizations and arrangements, in the implementation of the recommendations of the Review Conference on the Agreement, held in New York from 22 to 26 May 2006,[204] and the identification of emerging priorities;

31. *Recalls* paragraph 16 of resolution 59/25, and requests the Secretary-General to resume the Review Conference, convened pursuant to article 36 of the Agreement, in New York for one week in the first part of 2010, with a view to assessing the effectiveness of the Agreement in securing the conservation and management of straddling fish stocks and highly migratory fish stocks, and to render the necessary assistance and provide such services as may be required for the resumption of the Review Conference;

32. *Requests* the Secretary-General to submit to the resumed Review Conference an updated comprehensive report, prepared in cooperation with the Food and Agriculture Organization of the United Nations, to assist the Conference in discharging its mandate under article 36, paragraph 2, of the Agreement;

33. *Recalls* paragraph 6 of resolution 56/13, and requests the Secretary-General to convene in 2009, in accordance with past practice, an eighth round of informal consultations of States parties to the Agreement for a duration of at least four days, to consider, inter alia, promoting a wider participation in the Agreement through a continuing dialogue, in particular with developing States, and initial preparatory work for the resumption of the Review Conference, and to make any appropriate recommendations to the General Assembly;

34. *Requests* the Secretary-General to invite States, and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement, not parties to the Agreement, as well as the United Nations Development Programme, the Food and Agriculture Organization of the United Nations and other specialized agencies, the Commission on Sustainable Development, the World Bank, the Global Environment Facility and other relevant international financial institutions, subregional and regional fisheries management organizations

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[204] See A/CONF.210/2006/15.

and arrangements, other fisheries bodies, other relevant intergovernmental bodies and relevant non-governmental organizations, in accordance with past practice, to attend the eighth round of informal consultations of States parties to the Agreement as observers;

35. *Reaffirms its request* that the Food and Agriculture Organization of the United Nations initiate arrangements with States for the collection and dissemination of data on fishing in the high seas by vessels flying their flag at the subregional and regional levels where no such arrangements exist;

36. *Also reaffirms its request* that the Food and Agriculture Organization of the United Nations revise its global fisheries statistics database to provide information on straddling fish stocks, highly migratory fish stocks and discrete high seas fish stocks on the basis of where the catch is taken;

III

Related fisheries instruments

37. *Emphasizes* the importance of the effective implementation of the provisions of the Compliance Agreement,[196] and urges continued efforts in this regard;

38. *Calls upon* all States and other entities referred to in article X, paragraph 1, of the Compliance Agreement that have not yet become parties to that Agreement to do so as a matter of priority and, in the interim, to consider applying it provisionally;

39. *Urges* States and subregional and regional fisheries management organizations and arrangements to implement and promote the application of the Code within their areas of competence;

40. *Urges* States to develop and implement, as a matter of priority, national and, as appropriate, regional plans of action to put into effect the international plans of action of the Food and Agriculture Organization of the United Nations;

41. *Welcomes* the adoption by the Technical Consultation, convened by the Food and Agriculture Organization of the United Nations, in Rome from 25 to 29 August 2008, of the International Guidelines for the Management of Deep-sea Fisheries in the High Seas,[205] as requested in paragraph 89 of resolution 61/105, which include standards and criteria for use by States and regional fisheries management organizations or arrangements in identifying vulnerable marine ecosystems in areas beyond national jurisdiction and the impacts of fishing on such ecosystems and in establishing standards for the management of deep sea fisheries in order to facilitate the adoption and the implementation of conservation and management measures pursuant to paragraphs 83 and 86 of resolution 61/105, and calls upon States and regional fisheries management organizations or arrangements, as appropriate, to implement those Guidelines;

IV

Illegal, unreported and unregulated fishing

42. *Emphasizes once again its serious concern* that illegal, unreported and unregulated fishing remains one of the greatest threats to marine ecosystems and continues to have serious and major implications for the conservation and management of ocean resources, and renews its call upon States to comply fully with all existing obligations and to combat such fishing and urgently to take all necessary steps to implement the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of the Food and Agriculture Organization of the United Nations;[195]

43. *Urges* States to exercise effective control over their nationals, including beneficial owners, and vessels flying their flag, in order to prevent and deter them from engaging in illegal, unreported and unregulated fishing activities or supporting vessels engaging in illegal, unreported and unregulated fishing activities, including those vessels listed by regional fisheries management organizations or arrangements as engaged in those activities, and to facilitate mutual assistance to ensure that such actions can be investigated and proper sanctions imposed;

44. *Also urges* States to take effective measures, at the national, regional and global levels, to deter the activities, including illegal, unreported and unregulated fishing, of any vessel which undermines conservation and management measures that have been adopted by subregional and regional fisheries management organizations and arrangements in accordance with international law;

45. *Calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas or in areas under the national jurisdiction of other States, unless duly authorized by the authorities of the States concerned and in accordance with the conditions set out in the authorization, and to take specific measures, including deterring the reflagging of vessels by their nationals, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

46. *Recalls* its resolution 62/177, in which it invited the Food and Agriculture Organization of the United Nations, as requested by the Committee on Fisheries at its twenty-seventh session, to further consider the possibility of convening an expert consultation to develop criteria for assessing the performance of flag States,[206] encourages the Food and

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[205] Food and Agriculture Organization of the United Nations, *Report of the Technical Consultation on International Guidelines for the Management of Deep-sea Fisheries in the High Seas, Rome, 4–8 February and 25–29 August 2008*, FAO Fisheries and Aquaculture Report No. 881 (FIEP/R881 (Tri)), appendix F.

[206] See Food and Agriculture Organization of the United Nations, *Report of the twenty-seventh session of the Committee on Fisheries, Rome, 5–9 March 2007*, FAO Fisheries Report No. 830 (FIEL/R830 (En)).

Agriculture Organization of the United Nations to convene such an expert consultation as early as possible in 2009 and also to consider the possibility of further work on this issue, and calls upon States to support this important initiative, noting the preparatory work conducted by an expert workshop on flag State responsibilities, held in Vancouver, Canada, from 25 to 28 March 2008;

47. *Urges* States, individually and collectively through regional fisheries management organizations and arrangements, to develop appropriate processes to assess the performance of States with respect to implementing the obligations regarding fishing vessels flying their flag set out in relevant international instruments;

48. *Reaffirms* the need to strengthen, where necessary, the international legal framework for intergovernmental cooperation, in particular at the subregional and regional levels, in the management of fish stocks and in combating illegal, unreported and unregulated fishing, in a manner consistent with international law, and for States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to collaborate in efforts to address these types of fishing activities;

49. *Encourages* regional fisheries management organizations and arrangements to further coordinate measures for combating illegal, unreported and unregulated fishing activities, such as through the development of a common list of vessels identified as engaged in illegal, unreported and unregulated fishing or the mutual recognition of the illegal, unreported and unregulated vessel lists established by each organization or arrangement;

50. *Reaffirms its call upon* States to take all necessary measures consistent with international law, without prejudice to a State's sovereignty over ports in its territory and to reasons of force majeure or distress, including the prohibition of vessels from accessing their ports followed by a report to the flag State concerned, when there is clear evidence that they are or have been engaged in or have supported illegal, unreported and unregulated fishing, or when they refuse to give information either on the origin of the catch or on the authorization under which the catch has been made;

51. *Urges* enhanced action consistent with international law, including cooperation and coordination, to eliminate illegal, unreported and unregulated fishing by vessels flying "flags of convenience", to require that a "genuine link" be established between States and fishing vessels flying their flags, and to clarify the role of the "genuine link" in relation to the duty of States to exercise effective control over such vessels, and calls upon States to implement the 2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing[192] as a matter of priority;

52. *Recognizes* the need for enhanced port State measures to combat illegal, unreported and unregulated fishing, and urges States to cooperate, in particular at the regional level and through subregional and regional fisheries management organizations and arrangements, to adopt all necessary port measures, consistent with international law taking into account article 23 of the Agreement, particularly those identified in the Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing, adopted by the Food and Agriculture Organization of the United Nations in 2005, and to promote the development and application of minimum standards at the regional level;

53. *Welcomes* the intergovernmental Technical Consultation, held by the Food and Agriculture Organization of the United Nations in Rome from 23 to 27 June 2008 to develop a legally binding instrument on minimum standards for port State measures, based on the Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing and the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, and encourages all relevant States to participate in the resumed session of the Technical Consultation, to be held in Rome from 26 to 30 January 2009, with a view to presenting the finalized text of the instrument to the Committee on Fisheries at its twenty-eighth session, in 2009;

54. *Encourages* strengthened collaboration between the Food and Agriculture Organization of the United Nations and the International Maritime Organization, taking into account the respective competencies, mandates and experience of the two organizations, to combat illegal, unreported and unregulated fishing, particularly in improving the implementation of flag State responsibilities and port State measures;

55. *Encourages* States, with respect to vessels flying their flag, and port States, to make every effort to share data on landings and catch quotas, and in this regard encourages regional fisheries management organizations or arrangements to consider developing open databases containing such data for the purpose of enhancing the effectiveness of fisheries management;

56. *Calls upon* States to take all necessary measures to ensure that vessels flying their flag do not engage in transshipment of fish caught by fishing vessels engaged in illegal, unreported and unregulated fishing;

57. *Urges* States, individually and through regional fisheries management organizations and arrangements, to adopt and implement internationally agreed market-related measures in accordance with international law, including principles, rights and obligations established in World Trade Organization agreements, as called for in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;

58. *Welcomes* the adoption of the Technical Guidelines for Responsible Fish Trade by the Sub-Committee on Fish Trade of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations at its eleventh session, held in Bremen, Germany, from 2 to 6 June 2008, notes

the discussion in the Sub-Committee on Fish Trade regarding emerging market- and trade-related measures, and encourages information-sharing by States and other relevant actors in this regard with appropriate international and regional forums, consistent with the established plan of work of the Committee on Fisheries and given the potential implications of these measures for all States;

59. *Notes* the concerns about possible connections between international organized crime and illegal fishing in certain regions of the world, and encourages States, including through the appropriate international forums and organizations, to study the causes and methods of and contributing factors to illegal fishing to increase knowledge and understanding of those possible connections, and to make the findings publicly available, bearing in mind the distinct legal regimes and remedies under international law applicable to illegal fishing and international organized crime;

V

Monitoring, control and surveillance and compliance and enforcement

60. *Calls upon* States, in accordance with international law, to strengthen implementation of or, where they do not exist, adopt comprehensive monitoring, control and surveillance measures and compliance and enforcement schemes individually and within those regional fisheries management organizations or arrangements in which they participate, in order to provide an appropriate framework for promoting compliance with agreed conservation and management measures, and further urges enhanced coordination among all relevant States and regional fisheries management organizations and arrangements in these efforts;

61. *Encourages* further work by competent international organizations, including the Food and Agriculture Organization of the United Nations and subregional and regional fisheries management organizations and arrangements, to develop guidelines on flag State control of fishing vessels;

62. *Urges* States, individually and through relevant regional fisheries management organizations and arrangements, to establish mandatory vessel monitoring, control and surveillance systems, in particular to require that vessel monitoring systems be carried by all vessels fishing on the high seas as soon as practicable, and in the case of large-scale fishing vessels no later than December 2008, and to share information on fisheries enforcement matters;

63. *Calls upon* States, individually and through regional fisheries management organizations or arrangements, to strengthen or establish, consistent with national and international law, positive or negative lists of vessels fishing within the areas covered by relevant regional fisheries management organizations and arrangements in order to verify compliance with conservation and management measures and identify products from illegal, unreported and unregulated catches, and encourages improved coordination among all parties and regional fisheries management organizations and arrangements in sharing and using this information, taking into account the forms of cooperation with developing States as set out in article 25 of the Agreement;

64. *Requests* States and relevant international bodies to develop, in accordance with international law, more effective measures to trace fish and fishery products to enable importing States to identify fish or fishery products caught in a manner that undermines international conservation and management measures agreed in accordance with international law, taking into account the special requirements of developing States and the forms of cooperation with developing States as set out in article 25 of the Agreement, and at the same time to recognize the importance of market access, in accordance with provisions 11.2.4, 11.2.5 and 11.2.6 of the Code, for fish and fishery products caught in a manner that is in conformity with such international measures;

65. *Requests* States to take the necessary measures, consistent with international law, to help to prevent fish and fishery products caught in a manner that undermines applicable conservation and management measures adopted in accordance with international law from entering international trade;

66. *Encourages* States to establish and undertake cooperative surveillance and enforcement activities in accordance with international law to strengthen and enhance efforts to ensure compliance with conservation and management measures, and prevent and deter illegal, unreported and unregulated fishing;

67. *Urges* States, individually and through regional fisheries management organizations or arrangements, to develop and adopt effective monitoring, control and surveillance measures for trans-shipment, as appropriate, in particular at-sea trans-shipment, in order to, inter alia, monitor compliance, collect and verify fisheries data, and to prevent and suppress illegal, unreported and unregulated fishing activities, in accordance with international law; and, in parallel, to encourage and support the Food and Agriculture Organization of the United Nations in studying the current practices of trans-shipment as it relates to fishing operations for straddling fish stocks and highly migratory fish stocks and produce a set of guidelines for this purpose;

68. *Expresses its appreciation* for financial contributions from States to improve the capacity of the existing voluntary International Monitoring, Control and Surveillance Network for Fisheries-Related Activities, and encourages States to join and actively participate in the Network and to consider supporting, when appropriate, its transformation in accordance with international law into an international unit with dedicated resources to further assist Network members, taking into account the forms of cooperation with developing States as set out in article 25 of the Agreement;

VI

Fishing overcapacity

69. *Calls upon* States to commit themselves to urgently reducing the capacity of the world's fishing fleets to levels commensurate with the sustainability of fish stocks, through the establishment of target levels and plans or other appropriate mechanisms for ongoing capacity assessment, while avoiding the transfer of fishing capacity to other fisheries or areas in a manner that undermines the sustainable management of fish stocks, including, inter alia, those areas where fish stocks are overexploited or in a depleted condition, and recognizing in this context the legitimate rights of developing States to develop their fisheries for straddling fish stocks and highly migratory fish stocks consistent with article 25 of the Agreement, article 5 of the Code, and paragraph 10 of the International Plan of Action for the Management of Fishing Capacity;[195]

70. *Also calls upon* States, individually and through regional fisheries management organizations and arrangements, to ensure that the urgent actions required in the International Plan of Action for the Management of Fishing Capacity are undertaken expeditiously and that its implementation is facilitated without delay;

71. *Requests* the Food and Agriculture Organization of the United Nations to report on the state of progress in the implementation of the International Plan of Action for the Management of Fishing Capacity, as provided for in paragraph 48 of the Plan of Action;

72. *Encourages* those States which are cooperating to establish subregional and regional fisheries management organizations and arrangements, taking into account the best scientific information available as well as the precautionary approach, to exercise voluntary restraint of fishing effort levels in those areas that will come under the regulation of the future organizations and arrangements until adequate regional conservation and management measures are adopted and implemented, taking into account the need to ensure the long-term conservation, management and sustainable use of the relevant fish stocks and to prevent significant adverse impacts on vulnerable marine ecosystems;

73. *Urges* States to eliminate subsidies that contribute to illegal, unreported and unregulated fishing and to overfishing and overcapacity, while completing the efforts undertaken at the World Trade Organization in accordance with the Doha Declaration[207] to clarify and improve its disciplines on fisheries subsidies, taking into account the importance of this sector, including small-scale and artisanal fisheries and aquaculture, to developing countries;

VII

Large-scale pelagic drift-net fishing

74. *Reaffirms* the importance it attaches to continued compliance with its resolution 46/215 and other subsequent resolutions on large-scale pelagic drift-net fishing, and urges States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to enforce fully the measures recommended in those resolutions in order to eliminate the use of large-scale pelagic drift nets;

VIII

Fisheries by-catch and discards

75. *Urges* States, subregional and regional fisheries management organizations and arrangements and other relevant international organizations that have not done so to take action, including with consideration of the interests of developing coastal States and, as appropriate, subsistence fishing communities, to reduce or eliminate by-catch, catch by lost or abandoned gear, fish discards and post-harvest losses, including juvenile fish, consistent with international law and relevant international instruments, including the Code, and in particular to consider measures including, as appropriate, technical measures related to fish size, mesh size or gear, discards, closed seasons and areas and zones reserved for selected fisheries, particularly artisanal fisheries, the establishment of mechanisms for communicating information on areas of high concentration of juvenile fish, taking into account the importance of ensuring the confidentiality of such information, and support for studies and research that will reduce or eliminate by-catch of juvenile fish, and to ensure that these measures are implemented so as to optimize their effectiveness;

76. *Encourages* States to consider the development of standards for reducing or eliminating discards, such as through the development of an international plan of action, at the twenty-eighth session of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations;

77. *Encourages* States and entities referred to in the Convention and in article 1, paragraph 2 (*b*), of the Agreement to give due consideration to participation, as appropriate, in subregional and regional instruments and organizations with mandates to conserve non-target species taken incidentally in fishing operations;

78. *Encourages* States to strengthen, if necessary, the capacity of those subregional and regional fisheries management organizations and arrangements in which they participate to ensure the adequate conservation of non-target species taken incidentally in fishing operations, taking into consideration best practices for non-target species management, and to expedite their ongoing efforts in this regard;

79. *Requests* States and regional fisheries management organizations and arrangements to urgently implement, as

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[207] A/C.2/56/7, annex.

appropriate, the measures recommended in the Guidelines to Reduce Sea Turtle Mortality in Fishing Operations[208] and the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries of the Food and Agriculture Organization of the United Nations[195] in order to prevent the decline of sea turtles and seabird populations by minimizing by-catch and increasing post-release survival in their fisheries, including through research and development of gear and bait alternatives, promoting the use of available by-catch mitigation technology, and establishing and strengthening data-collection programmes to obtain standardized information to develop reliable estimates of the by-catch of these species;

IX

Subregional and regional cooperation

80. *Urges* coastal States and States fishing on the high seas, in accordance with the Convention, the Agreement and other relevant instruments, to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation and management of such stocks;

81. *Urges* States fishing for straddling fish stocks and highly migratory fish stocks on the high seas, and relevant coastal States, where a subregional or regional fisheries management organization or arrangement has the competence to establish conservation and management measures for such stocks, to give effect to their duty to cooperate by becoming members of such an organization or participants in such an arrangement, or by agreeing to apply the conservation and management measures established by such an organization or arrangement, or to otherwise ensure that no vessel flying their flag is authorized to access the fisheries resources to which regional fisheries management organizations and arrangements or conservation and management measures established by such organizations or arrangements apply;

82. *Invites*, in this regard, subregional and regional fisheries management organizations and arrangements to ensure that all States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements, in accordance with the Convention, the Agreement and the Code;

83. *Encourages* relevant coastal States and States fishing on the high seas for a straddling fish stock or a highly migratory fish stock, where there is no subregional or regional fisheries management organization or arrangement to establish conservation and management measures for such stocks, to cooperate to establish such an organization or enter into another appropriate arrangement to ensure the conservation and management of such stocks, and to participate in the work of the organization or arrangement;

84. *Urges* all signatory States and other States whose vessels fish within the area of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean[209] for fishery resources covered by that Convention to become parties to that Convention as a matter of priority and, in the interim, to ensure that vessels flying their flags fully comply with the measures adopted;

85. *Encourages* signatory States and States having a real interest to become parties to the South Indian Ocean Fisheries Agreement, and urges those States to agree on and implement interim measures, including measures in accordance with resolution 61/105, to ensure the conservation and management of the fisheries resources and their marine ecosystems and habitats in the area to which that Agreement applies until such time as that Agreement enters into force;

86. *Takes note* of recent efforts at the regional level to promote responsible fishing practices, including combating illegal, unreported and unregulated fishing;

87. *Notes with satisfaction* the progress of negotiations to establish subregional and regional fisheries management organizations or arrangements in several fisheries, in particular in the North-West Pacific and the South Pacific, encourages States having a real interest to participate in such negotiations, urges participants to expedite those negotiations and to apply provisions of the Convention and the Agreement to their work, and encourages those participants to implement fully the voluntary interim conservation and management measures adopted in accordance with resolution 61/105;

88. *Takes note* of the ongoing efforts of the members of the Indian Ocean Tuna Commission to strengthen the functioning of the Commission so that it can more effectively discharge its mandate, and requests the Food and Agriculture Organization of the United Nations to continue to provide members of the Commission with the necessary assistance to this end;

89. *Urges* further efforts by regional fisheries management organizations and arrangements, as a matter of priority, in accordance with international law, to strengthen and modernize their mandates and the measures adopted by such organizations or arrangements, and to implement modern approaches to fisheries management, as reflected in the Agreement and other relevant international instruments, relying on the best scientific information available and application of the precautionary approach and incorporating an ecosystem

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[208] Food and Agriculture Organization of the United Nations, *Report of the Technical Consultation on Sea Turtles Conservation and Fisheries, Bangkok, 29 November–2 December 2004*, FAO Fisheries Report No. 765 (FIRM/R765 (En)), appendix E.

[209] United Nations, *Treaty Series*, vol. 2221, No. 39489.

approach to fisheries management and biodiversity considerations, where these aspects are lacking, to ensure that they effectively contribute to long-term conservation and management and sustainable use of marine living resources;

90. *Calls upon* regional fisheries management organizations with the competence to conserve and manage highly migratory fish stocks that have not yet adopted effective conservation and management measures in line with the best scientific information available to conserve and manage stocks falling under their mandate to do so urgently;

91. *Urges* States to strengthen and enhance cooperation among existing and developing regional fisheries management organizations and arrangements in which they participate, including increased communication and further coordination of measures, such as through the holding of joint consultations, and to strengthen integration, coordination and cooperation by such regional fisheries management organizations and arrangements with other relevant fisheries organizations, regional seas arrangements and other relevant international organizations;

92. *Welcomes* the meeting to be held in 2009 of the members, cooperating members and non-members of the five tuna regional fisheries management organizations to review progress and discuss ways to expedite the implementation of, and build upon, the agreed Course of Actions adopted in Kobe, Japan, in January 2007;

93. *Urges* regional fisheries management organizations and arrangements to improve transparency and to ensure that their decision-making processes are fair and transparent, rely on the best scientific information available, incorporate the precautionary approach and ecosystem approaches, address participatory rights, including through, inter alia, the development of transparent criteria for allocating fishing opportunities which reflects, where appropriate, the relevant provisions of the Agreement, taking due account, inter alia, of the status of the relevant stocks and the respective interests in the fishery;

94. *Welcomes* the progress made by some regional fisheries management organizations and arrangements to initiate performance reviews, and the fact that the Commission for the Conservation of Southern Bluefin Tuna, the International Commission for the Conservation of Atlantic Tunas and the North East Atlantic Fisheries Commission, as well as the Commission for the Conservation of Antarctic Marine Living Resources, have completed performance reviews, and urges States, through their participation in regional fisheries management organizations and arrangements that have not done so, to undertake, on an urgent basis, performance reviews of those regional fisheries management organizations and arrangements, initiated either by the organization or arrangement itself or with external partners, including in cooperation with the Food and Agriculture Organization of the United Nations, using transparent criteria based on the provisions of the Agreement and other relevant instruments, and taking into account the best practices of regional fisheries management organizations or arrangements and, as appropriate, any set of criteria developed by States or other regional fisheries management organizations or arrangements, and encourages that such performance reviews include some element of independent evaluation and propose means for improving the functioning of the regional fisheries management organization or arrangement, as appropriate;

95. *Encourages* regional fisheries management organizations and arrangements to make the results of those performance reviews publicly available and to discuss the results jointly;

96. *Urges* States to cooperate, taking into account those performance reviews, to develop best practice guidelines for regional fisheries management organizations and arrangements and to apply, to the extent possible, those guidelines to organizations and arrangements in which they participate;

97. *Encourages* the development of regional guidelines for States to use in establishing sanctions for non-compliance by vessels flying their flag and by their nationals, to be applied in accordance with national law, that are adequate in severity for effectively securing compliance, deterring further violations and depriving offenders of the benefits deriving from their illegal activities, as well as in evaluating their systems of sanctions to ensure that they are effective in securing compliance and deterring violations;

X

Responsible fisheries in the marine ecosystem

98. *Encourages* States to apply by 2010 the ecosystem approach, in accordance with paragraph 30 (*d*) of the Johannesburg Plan of Implementation;

99. *Also encourages* States, individually or through regional fisheries management organizations and arrangements and other relevant international organizations, to work to ensure that fisheries and other ecosystem data collection is performed in a coordinated and integrated manner, facilitating incorporation into global observation initiatives, where appropriate;

100. *Further encourages* States to increase scientific research in accordance with international law on the marine ecosystem;

101. *Calls upon* States, the Food and Agriculture Organization of the United Nations and other specialized agencies, subregional and regional fisheries management organizations and arrangements, where appropriate, and other appropriate intergovernmental bodies, to cooperate in achieving sustainable aquaculture, including through information exchange, developing equivalent standards on such issues as aquatic animal health and human health and safety concerns, assessing the potential positive and negative impacts of

aquaculture, including socio-economics, on the marine and coastal environment, including biodiversity, and adopting relevant methods and techniques to minimize and mitigate adverse effects, and in this regard encourages the implementation of the Strategy and Outline Plan for Improving Information on Status and Trends of Aquaculture of the Food and Agriculture Organization of the United Nations,[198] as a framework for the improvement and understanding of aquaculture status and trends;

102. *Calls upon* States to take action immediately, individually and through regional fisheries management organizations and arrangements, and consistent with the precautionary approach and ecosystem approaches, and urges the implementation of the International Guidelines for the Management of Deep-sea Fisheries in the High Seas of the Food and Agriculture Organization of the United Nations in order to sustainably manage fish stocks and protect vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals, from destructive fishing practices, recognizing the immense importance and value of deep sea ecosystems and the biodiversity they contain;

103. *Reaffirms* the importance it attaches to paragraphs 83 to 91 of resolution 61/105 addressing the impacts of bottom fishing on vulnerable marine ecosystems and the urgent actions called for in that resolution;

104. *Recalls* that nothing in paragraphs 83 to 86 of resolution 61/105 is to prejudice the sovereign rights of coastal States over their continental shelf or the exercise of the jurisdiction of coastal States with regard to that shelf under international law as reflected in the Convention;

105. *Welcomes* the further progress in regulating bottom fisheries in accordance with resolution 61/105 by the Commission for the Conservation of Antarctic Marine Living Resources, the General Fisheries Commission for the Mediterranean, the North East Atlantic Fisheries Commission, the Northwest Atlantic Fisheries Organization and the South-East Atlantic Fisheries Organization, and by the participants in negotiations to establish subregional and regional fisheries management organizations or arrangements in the North-West Pacific and the South Pacific, as well as by States in respect of vessels flying their flag conducting bottom fisheries in areas beyond national jurisdiction where there is no regional fisheries management organization or arrangement competent to regulate such fisheries or for which no multilateral interim measures to this end have been adopted;

106. *Urges* States, including States participating in negotiations to establish new regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries, and regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries, to continue, and expedite where necessary, their efforts to fully and effectively implement measures in accordance with paragraphs 80 and 83 to 87 of resolution 61/105;

107. *Requests* the Secretary-General, in cooperation with the Food and Agriculture Organization of the United Nations, to report to the General Assembly at its sixty-fourth session on the actions taken by States and regional fisheries management organizations and arrangements to give effect to paragraphs 83 to 90 of resolution 61/105, in order to facilitate the further review of progress on actions taken, referred to in paragraph 91 of that resolution, with a view to further recommendations, where necessary;

108. *Requests* States and regional fisheries management organizations and arrangements to submit detailed information to the Secretary-General in a timely manner on actions taken pursuant to paragraphs 83 to 90 of resolution 61/105 to facilitate a further review of such actions;

109. *Encourages* accelerated progress to establish criteria on the objectives and management of marine protected areas for fisheries purposes, and in this regard welcomes the proposed work of the Food and Agriculture Organization of the United Nations to develop technical guidelines in accordance with the Convention and the Code on the design, implementation and testing of marine protected areas for such purposes, and urges coordination and cooperation among all relevant international organizations and bodies;

110. *Urges* all States to implement the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities[210] and to accelerate activity to safeguard the marine ecosystem, including fish stocks, against pollution and physical degradation;

111. *Reaffirms* the importance it attaches to paragraphs 77 to 81 of resolution 60/31 concerning the issue of lost, abandoned, or discarded fishing gear and related marine debris and the adverse impacts such debris and derelict fishing gear have on, inter alia, fish stocks, habitats and other marine species, and urges accelerated progress by States and regional fisheries management organizations and arrangements in implementing those paragraphs of the resolution;

XI

Capacity-building

112. *Reiterates* the crucial importance of cooperation by States directly or, as appropriate, through the relevant subregional and regional organizations, and by other international organizations, including the Food and Agriculture Organization of the United Nations through its FishCode programme, including through financial and/or technical assistance, in accordance with the Agreement, the Compliance Agreement, the Code and its associated international plans of action,[195] to increase the capacity of developing States to

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[210] See A/51/116, annex II.

achieve the goals and implement the actions called for in the present resolution;

113. *Welcomes* the work of the Food and Agriculture Organization of the United Nations in developing guidance on the strategies and measures required for the creation of an enabling environment for small-scale fisheries, including the development of a code of conduct and guidelines for enhancing the contribution of small-scale fisheries to poverty alleviation and food security that include adequate provisions with regard to financial measures and capacity-building, including transfer of technology, and encourages studies for creating possible alternative livelihoods for coastal communities;

114. *Encourages* increased capacity-building and technical assistance by States, international financial institutions and relevant intergovernmental organizations and bodies for fishers, in particular small-scale fishers, in developing countries, and in particular small island developing States, consistent with environmental sustainability;

115. *Encourages* the international community to enhance the opportunities for sustainable development in developing countries, in particular the least developed countries, small island developing States and coastal African States, by encouraging greater participation of those States in authorized fisheries activities being undertaken within areas under their national jurisdiction, in accordance with the Convention, by distant-water fishing nations in order to achieve better economic returns for developing countries from their fisheries resources within areas under their national jurisdiction and an enhanced role in regional fisheries management, as well as by enhancing the ability of developing countries to develop their own fisheries, as well as to participate in high seas fisheries, including access to such fisheries, in conformity with international law, in particular the Convention and the Agreement, and taking into account article 5 of the Code;

116. *Requests* distant-water fishing nations, when negotiating access agreements and arrangements with developing coastal States, to do so on an equitable and sustainable basis, including by giving greater attention to fish processing and fish-processing facilities within the national jurisdiction of the developing coastal State to assist the realization of the benefits from the development of fisheries resources, and also the transfer of technology and assistance for monitoring, control and surveillance and compliance and enforcement within areas under the national jurisdiction of the developing coastal State providing fisheries access, taking into account the forms of cooperation set out in article 25 of the Agreement and article 5 of the Code;

117. *Encourages* States, individually and through regional fisheries management organizations and arrangements, to provide greater assistance and to promote coherence in such assistance for developing States in designing, establishing and implementing relevant agreements, instruments and tools for the conservation and sustainable management of fish stocks, including in designing and strengthening their domestic regulatory fisheries policies and those of regional fisheries management organizations or arrangements in their regions, and the enhancement of research and scientific capabilities through existing funds, such as the Assistance Fund under Part VII of the Agreement, bilateral assistance, regional fisheries management organizations and arrangements assistance funds, the FishCode programme, the World Bank's global programme on fisheries and the Global Environment Facility;

118. *Calls upon* States to promote, through continuing dialogue and the assistance and cooperation provided in accordance with articles 24 to 26 of the Agreement, further ratification of or accession to the Agreement by seeking to address, inter alia, the issue of lack of capacity and resources that might stand in the way of developing States becoming parties;

119. *Notes with satisfaction* the efforts undertaken by the Secretary-General to gather information on assistance and resources available for developing States to assist them in becoming parties to the Agreement and in implementing the Agreement, and looks forward to the compilation and publication of this information for the use of States;

120. *Encourages* States, regional fisheries management organizations and arrangements and other relevant bodies to assist developing States in the implementation of the actions called for in paragraphs 83 to 91 of resolution 61/105;

XII

Cooperation within the United Nations system

121. *Requests* the relevant parts of the United Nations system, international financial institutions and donor agencies to support increased enforcement and compliance capabilities for regional fisheries management organizations and their member States;

122. *Invites* the Food and Agriculture Organization of the United Nations to continue its cooperative arrangements with United Nations agencies on the implementation of the international plans of action and to report to the Secretary-General, for inclusion in his annual report on sustainable fisheries, on priorities for cooperation and coordination in this work;

XIII

Sixty-fourth session of the General Assembly

123. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, subregional and regional fisheries management organizations and relevant non-governmental organizations, and to invite

them to provide the Secretary-General with information relevant to the implementation of the present resolution;

124. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, subregional and regional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and consisting, inter alia, of elements provided in relevant paragraphs in the present resolution;

125. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Oceans and the law of the sea", the sub-item entitled "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments".

RESOLUTION 63/113

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the basis of draft resolution A/63/L.23 and Add.1, sponsored by: Afghanistan, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

63/113. International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010

The General Assembly,

Bearing in mind the Charter of the United Nations, including the purposes and principles contained therein, and especially the dedication to saving succeeding generations from the scourge of war,

Recalling the Constitution of the United Nations Educational, Scientific and Cultural Organization, which states that, "since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed",

Recalling also its previous resolutions on a culture of peace, in particular resolution 52/15 of 20 November 1997 proclaiming 2000 the International Year for the Culture of Peace, resolution 53/25 of 10 November 1998 proclaiming the period 2001–2010 the International Decade for a Culture of Peace and Non-Violence for the Children of the World, and resolutions 56/5 of 5 November 2001, 57/6 of 4 November 2002, 58/11 of 10 November 2003, 59/143 of 15 December 2004, 60/3 of 20 October 2005, 61/45 of 4 December 2006 and 62/89 of 17 December 2007,

Reaffirming the Declaration[211] and Programme of Action[212] on a Culture of Peace, recognizing that they serve, inter alia, as the basis for the observance of the Decade, and convinced that the effective and successful observance of the Decade throughout the world will promote a culture of peace and non-violence that benefits humanity, in particular future generations,

Recalling the United Nations Millennium Declaration,[213] which calls for the active promotion of a culture of peace,

Taking note of Commission on Human Rights resolution 2000/66 of 26 April 2000, entitled "Towards a culture of peace",[214]

Taking note also of the report of the Secretary-General on the International Decade for a Culture of Peace and Non-Violence for the Children of the World,[215] including paragraph 28 thereof, which indicates that each of the ten years of the Decade will be marked with a different priority theme related to the Programme of Action,

Noting the relevance of the World Summit on Sustainable Development, held in Johannesburg, South Africa, from

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[211] Resolution 53/243 A.

[212] Resolution 53/243 B.

[213] See resolution 55/2.

[214] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.

[215] A/56/349.

26 August to 4 September 2002, the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, the special session of the General Assembly on children, held in New York from 8 to 10 May 2002, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, and the United Nations Decade for Human Rights Education, 1995–2004, for the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, as well as the need to implement, as appropriate, the relevant decisions agreed upon therein,

Recognizing that all efforts made by the United Nations system in general and the international community at large for peacekeeping, peacebuilding, the prevention of conflicts, disarmament, sustainable development, the promotion of human dignity and human rights, democracy, the rule of law, good governance and gender equality at the national and international levels contribute greatly to the culture of peace,

Noting that its resolution 57/337 of 3 July 2003 on the prevention of armed conflict could contribute to the further promotion of a culture of peace,

Taking into account the "Manifesto 2000" initiative of the United Nations Educational, Scientific and Cultural Organization promoting a culture of peace, which has so far received over seventy-five million signatures of endorsement throughout the world,

Taking note with appreciation of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of resolution 62/89,[216]

Taking note of the 2005 World Summit Outcome adopted at the High-level Plenary Meeting of the General Assembly,[217]

Welcoming the designation of 2 October as the International Day of Non-Violence,[218]

Recalling the proclamation by the United Nations Educational, Scientific and Cultural Organization of 21 February as the International Mother Language Day, which aims at promoting and preserving linguistic and cultural diversity, and multilingualism, in order to foster a culture of peace, harmony, cross-cultural dialogue and mutual understanding,

Appreciating the ongoing efforts of the Alliance of Civilizations and the Tripartite Forum on Interfaith Cooperation for Peace in promoting a culture of peace,

1. *Reiterates* that the objective of the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, is to strengthen further the global movement for a culture of peace following the observance of the International Year for the Culture of Peace in 2000;

2. *Invites* Member States to continue to place greater emphasis on and expand their activities promoting a culture of peace and non-violence, in particular during the Decade, at the national, regional and international levels and to ensure that peace and non-violence are fostered at all levels;

3. *Commends* the United Nations Educational, Scientific and Cultural Organization for recognizing the promotion of a culture of peace as the expression of its fundamental mandate, and encourages it, as the lead agency for the Decade, to strengthen further the activities it has undertaken for promoting a culture of peace, including the dissemination of the Declaration[211] and Programme of Action[212] on a Culture of Peace and related materials in various languages across the world;

4. *Commends* the relevant United Nations bodies, in particular the United Nations Children's Fund, the United Nations Development Fund for Women and the University for Peace, for their activities in further promoting a culture of peace and non-violence, including the promotion of peace education and activities related to specific areas identified in the Programme of Action, and encourages them to continue and further strengthen and expand their efforts;

5. *Encourages* the Peacebuilding Commission to promote a culture of peace and non-violence for children in its activities;

6. *Encourages* the appropriate authorities to provide education, in children's schools, that includes lessons in mutual understanding, tolerance, active citizenship, human rights and the promotion of a culture of peace;

7. *Commends* civil society, including non-governmental organizations and young people, for their activities in further promoting a culture of peace and non-violence, including through their campaign to raise awareness on a culture of peace, and takes note of the progress achieved by more than seven hundred organizations in more than one hundred countries;

8. *Encourages* civil society, including non-governmental organizations, to further strengthen its efforts in furtherance of the objectives of the Decade, inter alia, by adopting its own programme of activities to complement the initiatives of Member States, the organizations of the United Nations system and other international and regional organizations;

9. *Encourages* the involvement of the mass media in education for a culture of peace and non-violence, with particular regard to children and young people, including through the planned expansion of the Culture of Peace News Network as a global network of Internet sites in many languages;

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[216] See A/63/127.

[217] See resolution 60/1.

[218] See resolution 61/271.

10. *Welcomes* the efforts made by the United Nations Educational, Scientific and Cultural Organization to continue the communication and networking arrangements established during the International Year for providing an instant update of developments related to the observance of the Decade;

11. *Invites* Member States to observe 21 September each year as the International Day of Peace, as a day of global ceasefire and non-violence, in accordance with resolution 55/282 of 7 September 2001;

12. *Invites* Member States, as well as civil society, including non-governmental organizations, to continue providing information to the Secretary-General on the observance of the Decade and the activities undertaken to promote a culture of peace and non-violence;

13. *Appreciates* the participation of Member States in the day of plenary meetings to review progress made in the implementation of the Declaration and Programme of Action and the observance of the Decade at its midpoint;

14. *Requests* the Secretary-General to explore enhancing mechanisms for the implementation of the Declaration and Programme of Action;

15. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Culture of peace".

RESOLUTION 63/114

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the basis of draft resolution A/63/L.44 and Add.1, sponsored by: Belarus, Bosnia and Herzegovina, Guyana, Thailand, Uganda (on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference)

63/114. Cooperation between the United Nations and the Organization of the Islamic Conference

The General Assembly,

Recalling its resolutions 37/4 of 22 October 1982, 38/4 of 28 October 1983, 39/7 of 8 November 1984, 40/4 of 25 October 1985, 41/3 of 16 October 1986, 42/4 of 15 October 1987, 43/2 of 17 October 1988, 44/8 of 18 October 1989, 45/9 of 25 October 1990, 46/13 of 28 October 1991, 47/18 of 23 November 1992, 48/24 of 24 November 1993, 49/15 of 15 November 1994, 50/17 of 20 November 1995, 51/18 of 14 November 1996, 52/4 of 22 October 1997, 53/16 of 29 October 1998, 54/7 of 25 October 1999, 55/9 of 30 October 2000, 56/47 of 7 December 2001, 57/42 of 21 November 2002, 59/8 of 22 October 2004 and 61/49 of 4 December 2006,

Recalling also its resolution 3369 (XXX) of 10 October 1975, by which it decided to invite the Organization of the Islamic Conference to participate in the sessions and the work of the General Assembly and of its subsidiary organs in the capacity of observer,

Welcoming the efforts of the Secretary-General of the Organization of the Islamic Conference in strengthening the role of the Organization in conflict prevention, confidence-building, peacekeeping, conflict resolution and post-conflict rehabilitation in member States as well as in conflict situations involving Muslim communities,

Noting the adoption by the third extraordinary session of the Islamic Summit Conference, held in Mecca, Saudi Arabia, on 7 and 8 December 2005, of the Ten-year Programme of Action,[219] and the adoption on 14 March 2008 by the eleventh session of the Islamic Summit Conference, held in Dakar on 13 and 14 March 2008, of the amended Charter of the Organization of the Islamic Conference,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[220]

Taking into account the desire of the two organizations to continue to cooperate closely in the political, economic, social, humanitarian, cultural and scientific fields and in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, the promotion of a culture of peace through dialogue and cooperation, decolonization, fundamental human rights and economic and social development,

Recalling the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Recalling also the decision of the Annual Coordination Meeting of Ministers for Foreign Affairs of the States members of the Organization of the Islamic Conference, held in New York on 26 September 2008, to recognize the merit of celebrating the fortieth anniversary of the Organization of the Islamic Conference in 2009 through national and international programmes on different aspects of the Organization of the Islamic Conference, highlighting its activities, evolution and reform through the four decades of its existence,

Noting that the report of the Secretary-General recognizes the strengthening of practical cooperation and the building of complementarity between the United Nations, its funds and programmes and the specialized agencies and the Organization of the Islamic Conference, its subsidiary organs and its specialized and affiliated institutions,[221]

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[219] See A/60/633-S/2005/826, annex III.

[220] A/63/228-S/2008/531 and Corr.1.

Noting also the encouraging progress made in the ten priority areas of cooperation between the two organizations and their respective agencies and institutions, as well as in the identification of other areas of cooperation between them,

Noting further that the Secretaries-General of the two organizations have met regularly, and consultations involving the Special Adviser for the International Compact with Iraq and Other Political Issues, in March 2007, and the High-level Coordinator for missing Kuwaitis and third-country citizens and missing Kuwaiti property, in June 2008, and the visit of the Executive Director of the Counter-Terrorism Committee Executive Directorate to the headquarters of the Organization of the Islamic Conference, in March 2008, have enhanced cooperation,

Convinced that the strengthening of cooperation between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its organs and institutions contributes to the promotion of the purposes and principles of the United Nations,

Taking note of the results of the general meeting of the organizations and agencies of the United Nations system and the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions, held in Geneva from 8 to 10 July 2008, to review and appraise the level of cooperation in the fields of science and technology, trade and development, implementation of the Millennium Development Goals, protection of and assistance to refugees, human rights, human resource development, food security and agriculture, environment, health and population, arts and crafts, and the promotion of heritage, and of the fact that these meetings are now being held every two years, with the next one scheduled for 2010,

Recalling that the Organization of the Islamic Conference remains an important partner of the United Nations in peace, security and the fostering of a culture of peace at the global level, and noting various decisions reached by the two sides, including the agreement to continue cooperation in conflict prevention, peacekeeping and peacebuilding and the agreement to improve the follow-up mechanism,

Taking note of the contribution of the Organization of the Islamic Conference in promoting intercultural dialogue and understanding within the framework of the Alliance of Civilizations and other initiatives in this regard,

Welcoming the close and multifaceted cooperation between the specialized institutions of the United Nations and the Organization of the Islamic Conference with a view to strengthening the capacities of the two organizations in addressing challenges to development and social progress, including ongoing discussions between the United Nations Children's Fund and the Organization of the Islamic Conference on formalizing their partnership through specific initiatives linked to the Millennium Development Goals, as part of the Organization of the Islamic Conference Ten-year Programme of Action to Meet the Challenges Facing the Muslim Ummah in the Twenty-first Century,

Welcoming also the existing cooperation between the Organization of the Islamic Conference and the Office for the Coordination of Humanitarian Affairs of the Secretariat, including dialogue between the two entities on reaching out to non-governmental organizations and other humanitarian actors in member States of the Organization of the Islamic Conference as well as participation in joint activities and events and information-sharing, with a view to furthering proactive engagement and implementing concrete programmes in capacity-building, emergency assistance and strategic partnerships,

Noting the request of the Organization of the Islamic Conference for greater interaction between the United Nations and the Organization of the Islamic Conference Secretariat extending beyond the current biennial arrangement so as to include a periodic review of cooperation, in light of the expanding areas of cooperation between the two organizations,

Noting with appreciation the determination of the two organizations to strengthen further the existing cooperation by developing specific proposals in the designated priority areas of cooperation, as well as in the political field,

1. *Takes note with satisfaction* of the report of the Secretary-General;[220]

2. *Urges* the United Nations system to cooperate with the Organization of the Islamic Conference in areas of mutual interest, as appropriate;

3. *Notes with satisfaction* the active participation of the Organization of the Islamic Conference in the work of the United Nations towards the realization of the purposes and principles embodied in the Charter of the United Nations;

4. *Affirms* that the United Nations and the Organization of the Islamic Conference share a common goal of promoting and facilitating the Middle East peace process so that it can reach its objective of establishing a just and comprehensive peace in the Middle East;

5. *Requests* the United Nations and the Organization of the Islamic Conference to continue to cooperate in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, promotion of a culture of peace through dialogue and cooperation, decolonization, human rights and fundamental freedoms, terrorism, capacity-building, health-related issues such as combating pandemic and endemic diseases, emergency relief and rehabilitation and technical cooperation;

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[221] Ibid., sect. II.L.

6. *Requests* the secretariats of the two organizations to strengthen cooperation in addressing the social and economic issues that affect the efforts of Member States to eradicate poverty and achieve sustainable development and the Millennium Development Goals;

7. *Welcomes* the efforts of the United Nations and the Organization of the Islamic Conference to continue to strengthen cooperation between the two organizations in areas of common concern and to review and explore innovative ways and means of enhancing the mechanisms of such cooperation;

8. *Also welcomes* the cooperation between the United Nations Development Programme and the Organization of the Islamic Conference and its specialized and affiliated institutions in promoting South-South cooperation in areas of common interest;

9. *Welcomes with appreciation* the continuing cooperation between the United Nations and the Organization of the Islamic Conference in the fields of peacemaking, preventive diplomacy, peacekeeping and peacebuilding, and notes the close cooperation between the two organizations in reconstruction and development in Afghanistan, Bosnia and Herzegovina and Sierra Leone;

10. *Welcomes* the efforts of the secretariats of the two organizations to strengthen information exchange, coordination and cooperation between them in areas of mutual interest in the political field and to develop practical modalities of such cooperation;

11. *Also welcomes* the periodic high-level meetings between the Secretary-General of the United Nations and the Secretary-General of the Organization of the Islamic Conference, as well as between senior secretariat officials of the two organizations, and encourages their participation in important meetings of the two organizations;

12. *Encourages* the specialized agencies and other organizations of the United Nations system to continue to expand their cooperation with the subsidiary organs and specialized and affiliated institutions of the Organization of the Islamic Conference, particularly in the domains of science and technology, higher education, health and environment, by negotiating cooperation agreements, and through necessary contacts and meetings of the respective focal points for cooperation in priority areas of interest to the United Nations and the Organization of the Islamic Conference;

13. *Urges* the United Nations and other organizations of the United Nations system, especially the lead agencies, to provide increased technical and other forms of assistance to the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions in order to enhance cooperation;

14. *Expresses its appreciation* to the Secretary-General for his continued efforts to strengthen cooperation and coordination between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions to serve the mutual interests of the two organizations in the political, economic, social, cultural, humanitarian and scientific fields;

15. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the state of cooperation between the United Nations and the Organization of the Islamic Conference;

16. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Organization of the Islamic Conference".

RESOLUTION 63/115

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the basis of draft resolution A/63/L.46 and Add.1, sponsored by: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kazakhstan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Senegal, Serbia, Slovakia, Slovenia, Somalia, Spain, Sudan, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan

63/115. Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons

The General Assembly,

Recalling its resolution 61/224 of 20 December 2006 on cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons,

Having received the annual report for 2006 and the draft report for 2007 of the Organization for the Prohibition of Chemical Weapons on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[222]

1. *Takes note* of the annual report for 2006 and the draft report for 2007 of the Organization for the Prohibition of Chemical Weapons submitted on its behalf by its Director-General;[222]

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[222] See A/63/155.

2. *Welcomes* the successful conclusion of the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, held in The Hague from 7 to 18 April 2008, and its important outcome, including the consensus final report,[223] which addressed all aspects of the Convention and made important recommendations on its continued implementation;

3. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons".

RESOLUTION 63/116

Adopted at the 65th plenary meeting, on 10 December 2008, without a vote, on the basis of draft resolution A/63/L.54, submitted by the President of the General Assembly

63/116. Sixtieth anniversary of the Universal Declaration of Human Rights

The General Assembly

Adopts the following Declaration:

Declaration on the sixtieth anniversary of the Universal Declaration of Human Rights

We, the States Members of the United Nations, celebrate today the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights, which is a common standard of achievement for all peoples and all nations in the field of human rights. Since its adoption, it has inspired the world and empowered women and men around the globe to assert their inherent dignity and rights without discrimination on any grounds. It is and will remain a source of progressive development of all human rights.

The Universal Declaration of Human Rights calls upon us to recognize and respect the dignity, freedom and equality of all human beings. We applaud the efforts undertaken by States to promote and protect all human rights for all. We must strive to enhance international cooperation and the dialogue among peoples and nations on the basis of mutual respect and understanding towards this goal.

In an ever-changing world, the Universal Declaration of Human Rights remains a relevant ethical compass that guides us in addressing the challenges we face today. The living, driving force of all human rights unites us in our common goal to eradicate the manifold ills that plague our world. We remain committed to development and to the internationally agreed development goals, and are convinced that their fulfillment will be instrumental to the enjoyment of human rights.

We deplore that human rights and fundamental freedoms are not yet fully and universally respected in all parts of the world. In no country or territory can it be claimed that all human rights have been fully realized at all times for all. Human beings continue to suffer from the neglect and violation of their human rights and fundamental freedoms. We laud the courage and commitment of all women and men around the world who have devoted their lives to promoting and protecting human rights.

We all have the duty to step up our efforts to promote and protect all human rights and to prevent, stop and redress all human rights violations. We must give everybody a chance to learn about and better understand all human rights and fundamental freedoms. We must continue to strengthen the human rights pillar of the United Nations, as we undertook with the creation of the Human Rights Council.

Today, we, the States Members of the United Nations, reiterate that we will not shy away from the magnitude of this challenge. We reaffirm our commitment towards the full realization of all human rights for all, which are universal, indivisible, interrelated, interdependent and mutually reinforcing.

RESOLUTION 63/134

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.52 and Add.1, sponsored by: Argentina, Armenia, Australia, Botswana, Brazil, Canada, Guyana, India, Japan, Namibia, New Zealand, Philippines, Russian Federation, Singapore, South Africa, Thailand, Turkey, Ukraine, United States of America

63/134. The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds continues to be a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

Recognizing also the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries, and the systematic and gross human rights violations that have been perpetrated in such conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security,

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[223] See Organization for the Prohibition of Chemical Weapons, document RC-2/4.

Recognizing, therefore, that continued action to curb the trade in conflict diamonds is imperative,

Recalling that the elimination of illicit diamonds from legitimate trade is the primary objective of the Kimberley Process,

Acknowledging that the diamond sector is an important catalyst for achieving poverty reduction and meeting the requirements of the Millennium Development Goals in producing countries,

Bearing in mind the positive benefits of the legitimate diamond trade to producing countries, and underlining the need for continued international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of many of the producing, exporting and importing States, especially developing States,

Noting that the vast majority of rough diamonds produced in the world are from legitimate sources,

Recalling the Charter and all the relevant resolutions of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also Security Council resolution 1459 (2003) of 28 January 2003, in which the Council strongly supported the Kimberley Process Certification Scheme[224] as a valuable contribution against trafficking in conflict diamonds,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries,

Noting with satisfaction that the implementation of the Kimberley Process Certification Scheme continues to have a positive impact in reducing the opportunity for conflict diamonds to play a role in fuelling armed conflict and would help to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Acknowledging that lessons learned from the Kimberley Process are useful for the work of the Peacebuilding Commission in its consideration of the countries included in its agenda, as appropriate,

Recalling its resolutions 55/56 of 1 December 2000, 56/263 of 13 March 2002, 57/302 of 15 April 2003, 58/290 of 14 April 2004, 59/144 of 15 December 2004, 60/182 of 20 December 2005, 61/28 of 4 December 2006 and 62/11 of 26 November 2007, in which it called for the development and implementation as well as a periodic review of proposals for a simple, effective and pragmatic international certification scheme for rough diamonds,

Welcoming, in this regard, the implementation of the Kimberley Process Certification Scheme in such a way as not to impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, nor hinder the development of the diamond industry,

Welcoming also the decision of forty-nine Kimberley Process Participants, representing seventy-five countries, including the twenty-seven members of the European Union represented by the European Commission, to address the problem of conflict diamonds by participating in the Process and implementing the Kimberley Process Certification Scheme,

Noting the consensual outcomes of the plenary meeting of the Kimberley Process, held in New Delhi from 3 to 6 November 2008,

Welcoming the important contributions made and that continue to be made by civil society and the diamond industry, in particular the World Diamond Council which represents all aspects of the diamond industry, to assist international efforts to stop the trade in conflict diamonds,

Welcoming also the voluntary self-regulation initiatives for the diamond industry announced by the World Diamond Council, and recognizing that a system of such voluntary self-regulation contributes, as described in the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds,[225] to ensuring the effectiveness of national systems of internal control for rough diamonds,

Noting with appreciation that the Kimberley Process has pursued its deliberations on an inclusive basis, involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society, as well as applicant States and international organizations,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all Participants have requisite national legislation coupled with effective and credible internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices, as well as differences in institutional controls thereof, may require different approaches to meeting minimum standards,

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[224] See A/57/489.

[225] Ibid., annex 2.

Welcoming the efforts of the Kimberley Process to elaborate new rules and procedural norms for regulating the activities of its working bodies, Participants and observers,

1. *Reaffirms its strong and continuing support* for the Kimberley Process Certification Scheme[224] and the Kimberley Process as a whole;

2. *Recognizes* that the Kimberley Process Certification Scheme can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds and act as a mechanism for the prevention of future conflicts, and calls for the full implementation of existing Council measures targeting the illicit trade in rough diamonds, particularly conflict diamonds which play a role in fuelling conflict;

3. *Also recognizes* the important contributions that the international efforts to address the problem of conflict diamonds, including the Kimberley Process Certification Scheme, have made to the settlement of conflicts and the consolidation of peace in Angola, Liberia and Sierra Leone;

4. *Notes* the decision of the General Council of the World Trade Organization of 15 May 2003 granting a waiver with respect to the measures taken to implement the Kimberley Process Certification Scheme, effective from 1 January 2003 to 31 December 2006,[226] and the decision of the General Council of 17 November 2006 granting an extension of the waiver until 31 December 2012;[227]

5. *Takes note* of the report of the Chair of the Kimberley Process submitted pursuant to resolution 62/11,[228] and congratulates the participating Governments, the regional economic integration organization, the diamond industry and civil society organizations involved in the Process for contributing to the development, implementation and monitoring of the Kimberley Process Certification Scheme;

6. *Acknowledges* the progress made by Kimberley Process working groups, Participants and observers during 2008 in fulfilling the objectives set by the Chair to strengthen implementation of the peer review system, increase the transparency and accuracy of statistics, promote research into the traceability of diamonds, promote inclusiveness by broadening the level of involvement by both Governments and civil society in the Certification Scheme, foster a sense of ownership by Participants, improve information and communication flows and enhance the capacity of the Certification Scheme to respond to emerging challenges;

7. *Stresses* that the widest possible participation in the Kimberley Process Certification Scheme is essential, and encourages all Member States to contribute to the work of the Kimberley Process by seeking membership, participating actively in the Certification Scheme and complying with its undertakings;

8. *Welcomes* the admission in 2008 of Mexico to the Kimberley Process and the resumption of trade in rough diamonds by the Congo, and recognizes the increased involvement of civil society organizations, in particular those from producer countries, in the Process;

9. *Also welcomes* the guidelines endorsed by the New Delhi plenary meeting that recommend interim measures for serious non-compliance with Kimberley Process minimum requirements, set out the guiding principles for determination of serious non-compliance and include an indicative list of escalating measures, namely, targeted statistical analysis, enhanced monitoring and additional verification measures, mobilization of technical assistance, and suspension and resumption of export and import operations;[229]

10. *Notes with satisfaction* that, in line with paragraph 14 of its resolution 62/11, a visit led by the representative of the Chair of the Kimberley Process was undertaken to the Bolivarian Republic of Venezuela, which helped to provide a better understanding of the challenges being experienced by the Bolivarian Republic of Venezuela in the diamond mining sector and led to the recommendation that the Process should continue to engage with the Bolivarian Republic of Venezuela, which has voluntarily separated from the Kimberley Process Certification Scheme for a period of two years, and to assist and support the Bolivarian Republic of Venezuela in developing a plan of action to implement the minimum standards of the Certification Scheme and fully reintegrate into the Scheme;

11. *Notes with appreciation* the willingness of the Kimberley Process to support and provide technical assistance to those Participants experiencing temporary difficulties in complying with the requirements of the Kimberley Process Certification Scheme, and welcomes the recommendations in this regard of the Process plenary meeting held in New Delhi, which include a provision that such Participants would, if the Participation Committee so determined, retain membership and participate in the Process activities, and continue to be subject to all other obligations under the Certification Scheme;

12. *Notes with satisfaction* the systematization of the work of the Kimberley Process with respect to continuing to develop transparent and uniform rules and procedures,

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[226] World Trade Organization, document WT/L/518. Available from http://docsonline.wto.org.

[227] World Trade Organization, document G/C/W/559/Rev.1. Available from http://docsonline.wto.org.

[228] A/63/560, enclosure.

[229] Ibid., annex I.

introducing a mechanism for consultations and coordination within the Process, and adoption by the New Delhi plenary meeting of the rules and criteria for selection of the Vice-Chair of the Process, rules and procedures for readmission of a former Process Participant, and guiding principles on participation of the guests of the Process Chair in the Process;[229]

13. *Notes with appreciation* the cooperation of the Kimberley Process with the United Nations on the issue of diamonds from Côte d'Ivoire, by participating in a joint United Nations-Kimberley Process field mission to Côte d'Ivoire and by pursuing the monitoring of diamond activity in Côte d'Ivoire, welcomes plans by Côte d'Ivoire to re-establish Government control over diamond mining and trade, and encourages continued cooperation between the Process and the United Nations in tackling this issue, with the ultimate objective of meeting the preconditions for the lifting of United Nations sanctions on the trading of rough diamonds from Côte d'Ivoire;

14. *Acknowledges* the progress made by Ghana in 2008 in strengthening its internal controls in follow-up to the administrative decision on Ghana adopted by the plenary meeting of the Kimberley Process, held in Gabarone from 6 to 9 November 2006, and agrees that continued implementation of the action plan by Ghana would greatly enhance the effectiveness of the Process;

15. *Notes with satisfaction* the publication for the first time of Kimberley Process rough diamond trade and production sub-annual data for 2004 to 2007, welcomes the progress made towards the collection and submission of complete and accurate statistical reports on the production of and trade in rough diamonds, and encourages all of the Process Participants to continue to enhance the quality of data, and to respond promptly to Process analyses of these data;

16. *Also notes with satisfaction* the development, in line with paragraph 7 of its resolution 60/182 and paragraph 7 of its resolution 61/28, of "footprints", size-frequency distribution diagrams, that characterize the diamond production of Côte d'Ivoire, the Marange diamond field in Zimbabwe and Togo and the continued work undertaken for Ghana, and the development of statistical protocols to allow comparison of the export footprints with the established production footprint of the Participants;

17. *Notes with appreciation* the publication of a consolidated matrix of inventories of Participants engaged in artisanal alluvial diamond production and the continued efforts to follow up on the effective implementation of the Moscow declaration on improving internal controls over alluvial diamond production;

18. *Stresses* the importance of implementing the declaration on internal controls in diamond trading and manufacturing centres endorsed by the plenary meeting of the Kimberley Process, held in Brussels from 5 to 8 November 2007, and encourages all such centres to carry out effective enforcement measures, including those set out in the guidance on internal controls for Participants engaged in trading and manufacturing, as part of their own internal controls for ensuring adequate Government oversight over the trade in rough diamonds;

19. *Notes with appreciation* the assistance and capacity-building efforts extended by various donors, and encourages other donors to provide financial and technical expertise to Kimberley Process Participants to help them to develop tighter monitoring and control measures;

20. *Acknowledges with great appreciation* the important contribution that India, as Chair of the Kimberley Process in 2008, has made to the efforts to curb the trade in conflict diamonds, and takes note that the Process has selected Namibia as Chair and Israel as Vice-Chair of the Process for 2009;

21. *Requests* the Chair of the Kimberley Process to submit to the General Assembly at its sixty-fourth session a report on the implementation of the Process;

22. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "The role of diamonds in fuelling conflict".

RESOLUTION 63/135

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.51 and Add.1, sponsored by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Canada, Cape Verde, Chile, China, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Germany, Greece, Hungary, Indonesia, Israel, Italy, Jamaica, Japan, Kenya, Lithuania, Luxembourg, Maldives, Malta, Mauritius, Monaco, Morocco, Myanmar, Netherlands, Norway, Philippines, Portugal, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia

63/135. Sport as a means to promote education, health, development and peace

The General Assembly,

Recalling its resolutions 58/5 of 3 November 2003, 59/10 of 27 October 2004, its decision to proclaim 2005 the International Year for Sport and Physical Education, to strengthen sport as a means to promote education, health, development and peace, and its resolutions 60/1 of 16 September 2005, 60/9 of 3 November 2005, 61/10 of 3 November 2006, and 62/271 of 23 July 2008,

Taking note with appreciation of the report of the Secretary-General entitled "Sport for development and peace:

building on the foundations",[230] which reviews the programmes and initiatives implemented by States Members of the United Nations, United Nations funds, programmes and specialized agencies and other partners, using sport as a tool for development and peace,

Recognizing the need to strengthen and further coordinate efforts at the international level to maximize the potential of sport for contributing to the achievement of the United Nations Millennium Development Goals,

Acknowledging the major role of Member States and the United Nations system in promoting human development through sport and physical education, through its country programmes,

Acknowledging also the opportunities provided by the Games of the XXIX Olympiad and the XIII Paralympic Games in Beijing for education, understanding, peace, harmony and tolerance among and between peoples and civilizations, as reflected in General Assembly resolution 62/4 of 31 October 2007 on the Olympic Truce,

Recalling article 31 of the Convention on the Rights of the Child,[231] outlining a child's right to play and leisure, and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[232] stressing the promotion of physical, mental and emotional health through play and sports,

Recalling also article 30 of the Convention on the Rights of Persons with Disabilities,[233] outlining the right of persons with disabilities to take part on an equal basis with others in cultural life, recreation, leisure and sport,

Recognizing the important role played by the International Convention against Doping in Sport[234] in harmonizing the actions taken by Governments in the fight against doping in sport, which are complementary to those undertaken by the sporting movement under the World Anti-Doping Code,

Acknowledging the recommendations contained in the final report of the Sport for Development and Peace International Working Group entitled "Harnessing the power of sport for development and peace: recommendations to Governments", and encouraging Member States to implement the recommendations,

Recognizing the Beijing Declaration on Sport for Development and Peace, calling for a renewed mandate of the Sport for Development and Peace International Working Group under the leadership of the United Nations,

Recognizing also the need for indicators and benchmarks based on commonly agreed standards to assist Governments to enable the consolidation of sport in cross-cutting development strategies and the incorporation of sport and physical education in international, regional and national development policies and programmes,

Recognizing further the imperative need to engage women and girls in the practice of sport for development and peace, and in this regard welcomes activities that aim to foster and encourage such initiatives at the global level, such as the 2008 International Federation of Association Football U-20 Women's World Cup, held in Chile,

1. *Welcomes* the Secretary-General's decision to renew the mandate of a Special Adviser to the Secretary-General on Sport for Development and Peace and to incorporate the Sport for Development and Peace International Working Group into the United Nations system under the leadership of the Special Adviser;

2. *Also welcomes* the establishment of a United Nations Office of Sport for Development and Peace, which constitutes a policy and communications platform that will facilitate partnerships, coordinate common strategies, policy and programmes and increase coherence and synergies, while simultaneously raising awareness within the United Nations system and among external partners;

3. *Invites* Member States, the organizations of the United Nations system, including their governing bodies, international peacekeeping missions, sport-related organizations, athletes, the media, civil society and the private sector to collaborate with the United Nations Office of Sport for Development and Peace to promote greater awareness and action to foster peace and accelerate the attainment of the Millennium Development Goals through sport-based initiatives and promote the integration of sport for development and peace in the development agenda, by working along the following principles, adapted from the United Nations Action Plan on Sport for Development and Peace contained in the report of the Secretary-General to the General Assembly at its sixty-first session:[235]

(*a*) Global framework for sport for development and peace: further develop a framework to strengthen a common vision, define priorities and further raise awareness to promote and mainstream policies on sport for development and peace that are easily replicable;

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[230] A/63/466.

[231] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[232] See resolution S-27/2, annex.

[233] Resolution 61/106, annex I.

[234] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-third Session, Paris, 3–21 October 2005*, vol. 1: *Resolutions*, chap. V, resolution 14.

[235] See A/61/373.

(*b*) Policy development: promote and support the integration and mainstreaming of sport for development and peace in development programmes and policies;

(*c*) Resource mobilization: promote innovative funding mechanisms and multi-stakeholder arrangements at all levels, on a voluntary basis, including the engagement of sport organizations, civil society, athletes and the private sector;

(*d*) Evidence of impact: promote and facilitate common evaluation and monitoring tools, indicators and benchmarks based on commonly agreed standards;

4. *Encourages* Member States to designate focal points for sport for development and peace within their governments;

5. *Also encourages* Member States to provide institutional structures, appropriate quality standards and competencies and promote academic research and expertise in the field to enable ongoing training, capacity-building and education of physical education teachers, coaches and community leaders in sport for development and peace programmes;

6. *Encourages* the use of sport as a vehicle to foster development and strengthen education for children and young persons; prevent disease and promote health; empower girls and women; foster the inclusion and well-being of persons with disabilities; and facilitate social inclusion, conflict prevention and peacebuilding;

7. *Also encourages* the use of mass sport events to promote and support sport for development and peace initiatives;

8. *Invites* Member States and international sport organizations to assist developing countries, in particular the least developed countries, in their capacity-building efforts in sport and physical education, by providing national experiences and best practices, as well as financial, technical and logistic resources for the development of sport programmes;

9. *Urges* Member States that have not yet done so to consider signing, ratifying and acceding to the Convention on the Rights of the Child,[231] the Convention on the Rights of Persons with Disabilities[233] and the International Convention against Doping in Sport;[234]

10. *Invites* the international community to provide voluntary contributions to and to enter into innovative partnerships with the United Nations Office of Sport for Development and Peace and the Sport for Development and Peace International Working Group;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution, including progress made by Member States towards implementation of the Sport for Development and Peace International Working Group policy recommendations and on the functioning of the United Nations Office of Sport for Development and Peace and the Trust Fund for Sport for Development and Peace, and to present an action plan on sport for development and peace.

RESOLUTION 63/136

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.45 and Add.1, sponsored by: Australia, Brazil, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Finland, France, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Japan, Lebanon, Lesotho, Lithuania, Luxembourg, Morocco, Portugal, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

63/136. Humanitarian assistance and reconstruction of Liberia

The General Assembly,

Recalling its resolutions 45/232 of 21 December 1990, 46/147 of 17 December 1991, 47/154 of 18 December 1992, 48/197 of 21 December 1993, 49/21 E of 20 December 1994, 50/58 A of 12 December 1995, 51/30 B of 5 December 1996, 52/169 E of 16 December 1997, 55/176 of 19 December 2000, 57/151 of 16 December 2002, 59/219 of 22 December 2004 and 61/218 of 20 December 2006,

Having considered the report of the Secretary-General,[236]

Commending the Economic Community of West African States, the African Union, the International Contact Group on the Mano River Basin, the United Nations system and its specialized agencies, donor countries and institutions and governmental and non-governmental organizations for their continued support for the peacebuilding process and development of Liberia,

Commending also the United Nations Mission in Liberia for its important role in the maintenance of peace and stability in the country,

Noting with appreciation the progress made by the Truth and Reconciliation Commission, despite many difficulties, and expressing its appreciation to the Government of Liberia and those of its partners that have so far provided assistance to the Commission,

Taking note, while conscious of further challenges, of the progress made in a number of areas, including the consolidation of governmental authority throughout the country, as evidenced by the national development agenda, which encompasses four benchmarks: security; good governance and the rule of law; economic revitalization and infrastructure; and basic services, which are also important elements for sustainable economic growth and development,

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[236] A/63/295.

Strongly condemning all acts of gender-based violence, including sexual violence committed against civilians, in particular women and children, and underlining the need to implement the Government of Liberia/United Nations Joint Programme to Prevent and Respond to Sexual Gender-based Violence (2008–2012),

Stressing the need to protect women and children in post-conflict situations, and recalling the Security Council resolutions and presidential statements on women and peace and security, in particular Council resolution 1325 (2000) of 31 October 2000,

Taking note that the situation in Liberia remains generally stable, although fragile,

1. *Expresses its gratitude* to the Economic Community of West African States, the African Union, donor countries and institutions, the United Nations system and its specialized agencies and non-governmental organizations for their valuable support in their adoption of a comprehensive approach to peacebuilding in Liberia and in the subregion;

2. *Commends* the Secretary-General for his continued efforts in mobilizing the international community, the United Nations system and other organizations to provide assistance to Liberia;

3. *Renews its invitation* to all States and intergovernmental and non-governmental organizations to provide assistance to Liberia to facilitate the continued creation of an enabling environment for the promotion of peace, socio-economic development and regional security, including by emphasizing capacity-building, institution-building and employment generation in their work and ensuring that such work complements and contributes to the development of an economy characterized by a predictable investment climate conducive to entrepreneurship, good governance and the rule of law;

4. *Welcomes* the agreement, in June 2008, on the Government of Liberia/ United Nations Joint Programme to Prevent and Respond to Sexual Gender-based Violence (2008–2012), and calls upon all parties to implement it;

5. *Takes note with appreciation* of the fact that the Government of Liberia's poverty reduction strategy has been finalized and overwhelmingly endorsed by its partners at the Liberia Poverty Reduction Forum, held in Berlin on 26 and 27 June 2008;

6. *Strongly encourages* the international community to translate the tremendous goodwill expressed at the Liberia Poverty Reduction Forum into tangible resources and support for the Government's national reconstruction agenda, including its poverty reduction strategy and actions for the achievement of the Millennium Development Goals;

7. *Urges* the Government to continue to create an environment conducive to the promotion of socio-economic development, peace and security in the country, to the reintegration of refugees and internally displaced persons and to its commitment to ensure the upholding of human rights, the rule of law and national reconciliation;

8. *Appeals* to the international community and intergovernmental and non-governmental organizations to provide adequate assistance to programmes and projects identified in the report of the Secretary-General;[236]

9. *Requests* the Secretary-General:

(*a*) To continue his efforts in coordinating the work of the United Nations system and mobilize financial, technical and other assistance for the rehabilitation and reconstruction of Liberia;

(*b*) To submit to the General Assembly at its sixty-fifth session the final and comprehensive report on the implementation of humanitarian assistance and reconstruction of Liberia, under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", taking into account the peacebuilding activities in the country financed through the Peacebuilding Fund;

10. *Decides* to consider, at its sixty-fifth session, the status of international assistance for the rehabilitation and reconstruction of Liberia.

RESOLUTION 63/137

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.47 and Add.1, sponsored by: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Eritrea, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Myanmar, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Seychelles, Singapore, Slovenia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia

63/137. Strengthening emergency relief, rehabilitation, reconstruction and prevention in the aftermath of the Indian Ocean tsunami disaster

The General Assembly,

Recalling its resolutions 46/182 of 19 December 1991, 57/152 of 16 December 2002, 57/256 of 20 December 2002, 58/25 of 5 December 2003, 58/214 and 58/215 of 23 December 2003, 59/212 of 20 December 2004, 59/231 and 59/233 of 22 December 2004, 59/279 of 19 January 2005, 60/15 of 14 November 2005, 61/132 of 14 December 2006 and 62/91 of 17 December 2007,

Commending the prompt response, continued support, generous assistance and contributions of the international community, Governments, civil society, the private sector and individuals, in the relief, rehabilitation and reconstruction efforts, which reflect the spirit of international solidarity and cooperation to address the disaster,

Noting the Declaration on Action to Strengthen Emergency Relief, Rehabilitation, Reconstruction and Prevention in the Aftermath of the Earthquake and Tsunami Disaster of 26 December 2004, adopted at the special meeting of leaders of the Association of Southeast Asian Nations, held in Jakarta on 6 January 2005,[237]

Recalling the Hyogo Declaration[238] and the Hyogo Framework for Action 2005–2015,[239] as well as the common statement of the special session on the Indian Ocean disaster,[240] adopted at the World Conference on Disaster Reduction, held in Kobe, Hyogo, Japan, from 18 to 22 January 2005,

Taking note of the report of the Secretary-General,[241]

Stressing the need to continue to develop and implement disaster risk reduction strategies and to integrate them, where appropriate, into national development plans, in particular through the implementation of the International Strategy for Disaster Reduction, so as to enhance the resilience of populations in disasters and reduce the risks to them, their livelihoods, the social and economic infrastructure and environmental resources, and stressing also the need for Governments to develop and implement effective national plans for hazard warning systems with a disaster risk reduction approach,

Emphasizing that disaster reduction, including reducing vulnerability to natural disasters, is an important element that contributes to the achievement of sustainable development,

Emphasizing also the role of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization in coordinating the establishment of the Indian Ocean Tsunami Warning and Mitigation System, given the importance of strengthening regional and subregional cooperation and coordination, which is essential for effective early warning system arrangements for tsunamis,

Commending the operationalization of the Multi-Donor Voluntary Trust Fund on Tsunami Early Warning Arrangements in the Indian Ocean and Southeast Asia, and inviting Governments, donor countries, relevant international organizations, international and regional financial institutions, the private sector and civil society to consider contributing to the Trust Fund through financial contributions and technical cooperation to support the establishment of the tsunami early warning system in accordance with the needs of the countries of the Indian Ocean and Southeast Asia so that the Trust Fund contributes to the development of an integrated early warning system based on adequate resources and comprising a network of collaborative centres connected to the global system,

Stressing the need for continued commitment to assist the affected countries and their peoples, particularly the most vulnerable groups, to fully recover from the catastrophic and traumatic effects of the disaster, including in their medium- and long-term rehabilitation and reconstruction efforts, and welcoming Government and international assistance measures in this regard,

Noting that progress has been achieved in the recovery and rehabilitation efforts of tsunami-affected countries, and noting also that efforts and assistance are still required to re-establish the basis for long-term sustainable development,

Welcoming the development or strengthening of disaster management institutions in some affected countries that provide leadership in comprehensive disaster risk reduction as well as strengthen emergency response at local and national levels,

1. *Notes with appreciation* the efforts by the Governments of affected countries to undertake the rehabilitation and reconstruction phase, as well as in enhancing financial transparency and accountability, with respect to the channelling and utilization of resources, including, as appropriate, through the involvement of international public auditors;

2. *Recognizes and encourages* ongoing efforts to promote transparency and accountability among donors and recipient countries by means of, inter alia, a unified financial and sectoral information online tracking system, and highlights the importance of timely and accurate information on assessed needs and the sources and uses of funds, and the continued

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[237] A/59/669, annex.

[238] A/CONF.206/6 and Corr.1, chap. I, resolution 1.

[239] Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters (A/CONF.206/6 and Corr.1, chap. I, resolution 2).

[240] Common statement of the special session on the Indian Ocean disaster: risk reduction for a safer future (A/CONF.206/6 and Corr.1, annex II).

[241] A/63/84-E/2008/80.

support of donors, where needed, for further development of online tracking systems in the affected countries;

3. *Encourages* the sharing of lessons learned by tsunami-affected countries and other relevant stakeholders with other disaster-affected and disaster-prone countries, including on how prevention, risk reduction and humanitarian assistance measures could be improved in the future;

4. *Encourages* donor communities and international and regional financial institutions, as well as the private sector and civil society, to strengthen partnerships and to continue to support the medium- and long-term rehabilitation and reconstruction needs of the affected countries;

5. *Urges* Governments of the affected countries to identify their unmet needs in terms of financial and technical assistance in order to foster the ongoing efforts to enhance national capacity and create a reliable tsunami early warning system in the region in concert with the activities of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization;

6. *Welcomes* the steps taken by those Governments and regional organizations to improve their legal and institutional frameworks for disaster management, and encourages them to continue to examine ways to strengthen their regulatory frameworks for international disaster assistance, including by taking into consideration, as appropriate, the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held from 26 to 30 November 2007;

7. *Notes with appreciation* the efforts of international agencies, donor countries and relevant civil society organizations in supporting the Governments of affected countries to develop national capacity for tsunami warning and response so as to increase public awareness and provide community-based support for disaster risk reduction;

8. *Encourages* the continued effective coordination among the Governments of affected countries, relevant bodies of the United Nations system, international organizations, donor countries, regional and international financial institutions, civil society, the International Red Cross and Red Crescent Movement and private sectors involved in rehabilitation and reconstruction efforts, in order to ensure the effective implementation of existing joint programmes and to prevent unnecessary duplication and reduce vulnerability to future natural hazards, as well as to adequately respond to the remaining humanitarian needs, where needed;

9. *Emphasizes* the need for the development of stronger institutions, mechanisms and capacities at the regional, national and local levels, as affirmed in the Hyogo Declaration[238] and the Hyogo Framework for Action 2005–2015,[239] and the promotion of public education, awareness and community participation, in order to systematically build resilience to hazards and disasters, as well as reduce the risks and the vulnerability of populations to disasters, including an effective and sustained tsunami warning system;

10. *Stresses* the need for relevant bodies of the United Nations system, international organizations, regional and international financial institutions, civil society and the private sector to implement programmes according to assessed needs and agreed priorities of the Governments of tsunami-affected countries and to ensure full transparency and accountability for their programme activities;

11. *Calls upon* States to fully implement the Hyogo Declaration and the Hyogo Framework for Action 2005–2015, in particular those commitments related to assistance for developing countries that are prone to natural disasters and for disaster-stricken States in the transition phase towards sustainable, physical, social and economic recovery, for risk-reduction activities in post-disaster recovery and for rehabilitation processes;

12. *Stresses* the importance of and the need for regular updating of recovery assessment by the Governments of affected countries, the United Nations system and international and regional financial institutions, based on the affected countries' national data and utilizing a consistent methodology, in order to reassess progress and identify gaps and priorities, with the participation of the local community during the recovery and reconstruction phase, in order to build back better;

13. *Recognizes* that the Tsunami Recovery Impact Assessment and Monitoring System is a valuable common analytical framework for assessing and monitoring the impact of tsunami recovery and for informing effective planning and programming;

14. *Acknowledges* that relevant activities in evaluating and strengthening the tsunami early warning systems have focused principally on establishing the system's governance structure, its technical implementation, increasing public awareness and preparedness, including training, and technical advice;

15. *Welcomes* the operationalization of Tsunami Warning Focal Points capable of receiving and disseminating tsunami advisories around the clock, and encourages the continuation of the efforts of the Intergovernmental Oceanographic Commission supported by Member States, United Nations agencies and donors, including for developing national action plans for all countries participating in the Indian Ocean tsunami early warning system;

16. *Also welcomes* the work of the secretariat of the International Strategy for Disaster Reduction in establishing partnership among relevant actors, and stresses the importance for countries to establish early warning systems that are people-centred;

17. *Urges* Governments and the United Nations system, in planning for disaster preparedness and responding to natural disasters, and in implementing recovery, rehabilitation and reconstruction efforts, to integrate a gender perspective and provide every opportunity for women to take a full, active and equal role in all phases of disaster management;

18. *Expresses its deep appreciation* to relevant United Nations organizations, in particular the Office for the Coordination of Humanitarian Affairs of the Secretariat, and other humanitarian and relevant development actors, including the International Red Cross and Red Crescent Movement, in the relief, rehabilitation and reconstruction efforts in the affected countries;

19. *Welcomes* significant progress, achievements and outcomes in the affected countries, and requests the United Nations system to continue to provide its support to those countries as efforts are being mainstreamed into long-term development assistance projects and programmes.

RESOLUTION 63/138

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.48 and Add.1, sponsored by: Albania, Andorra, Angola, Argentina, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Cape Verde, Central African Republic, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu

63/138. Safety and security of humanitarian personnel and protection of United Nations personnel

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 on strengthening of the coordination of humanitarian emergency assistance of the United Nations,

Recalling all relevant resolutions on safety and security of humanitarian personnel and protection of United Nations personnel, including its resolution 62/95 of 17 December 2007, as well as Security Council resolution 1502 (2003) of 26 August 2003 and relevant statements by the President of the Council,

Recalling also all Security Council resolutions and presidential statements and reports of the Secretary-General to the Council on the protection of civilians in armed conflict,

Recalling further all relevant provisions of international law, including international humanitarian law and human rights law, as well as all relevant treaties,[242]

Reaffirming the need to promote and ensure respect for the principles and rules of international law, including international humanitarian law,

Reaffirming also the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance,

Recalling that primary responsibility under international law for the security and protection of humanitarian personnel and United Nations and associated personnel lies with the Government hosting a United Nations operation conducted under the Charter of the United Nations or its agreements with relevant organizations,

Expressing its appreciation to those Governments which respect the internationally agreed principles on the protection of humanitarian and United Nations personnel, while expressing concern over the lack of respect for these principles in some areas,

Urging all parties involved in armed conflicts, in compliance with international humanitarian law, in particular their obligations under the Geneva Conventions of 12 August 1949[243] and the obligations applicable to them under the Additional Protocols thereto, of 8 June 1977,[244] to ensure the security and protection of all humanitarian personnel and United Nations and associated personnel,

Welcoming the fact that the number of States parties to the Convention on the Safety of United Nations and Associated Personnel,[245] which entered into force on 15 January 1999, has continued to rise, the number now having reached eighty-six, mindful of the need to promote universality of the Convention, and recalling with appreciation the adoption of the Optional Protocol to the Convention on the Safety of United Nations and

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[242] They include, notably, the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947, the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994, the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel of 8 December 2005 (not yet in force), the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and the Additional Protocols to the Geneva Conventions of 8 June 1977, and Amended Protocol II of 3 May 1996 to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 10 October 1980.

[243] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[244] Ibid., vol. 1125, Nos. 17512 and 17513.

[245] Ibid., vol. 2051, No. 35457.

Associated Personnel,[246] which expands the scope of legal protection under the Convention,

Deeply concerned by the dangers and security risks faced by humanitarian personnel and United Nations and associated personnel at the field level, as they operate in increasingly complex contexts, as well as the continuous erosion, in many cases, of respect for the principles and rules of international law, in particular international humanitarian law,

Stressing the importance of fully respecting the obligations relating to the use of vehicles and premises of humanitarian personnel and United Nations and associated personnel as defined by relevant international instruments, as well as the obligations relating to distinctive emblems recognized in the Geneva Conventions,

Commending the courage and commitment of those who take part in humanitarian operations, often at great personal risk, especially locally recruited staff,

Expressing profound regret at the deaths of and violent acts against international and national humanitarian personnel and United Nations and associated personnel involved in the provision of humanitarian assistance, and strongly deploring the rising toll of casualties among such personnel in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations,

Strongly condemning acts of murder and other forms of violence, rape and sexual assault and all forms of violence committed in particular against women and children, and intimidation, armed robbery, abduction, hostage-taking, kidnapping, harassment and illegal arrest and detention to which those participating in humanitarian operations are increasingly exposed, as well as attacks on humanitarian convoys and acts of destruction and looting of property,

Expressing deep concern that the occurrence of attacks and threats against humanitarian personnel and United Nations and associated personnel is a factor that increasingly restricts the provision of assistance and protection to populations in need,

Noting the establishment by the Secretary-General of the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide, and looking forward to the report of the Secretary-General on all its aspects and recommendations, including on accountability, to be submitted for the consideration of the General Assembly at its sixty-third session,

Affirming the need for States to ensure that perpetrators of attacks committed on their territory against humanitarian personnel and United Nations and associated personnel do not operate with impunity, and that the perpetrators of such acts are brought to justice as provided for by national laws and obligations under international law,

Recalling the inclusion of attacks intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter as a war crime in the Rome Statute of the International Criminal Court,[247] and noting the role that the Court can play in appropriate cases in bringing to justice those responsible for serious violations of international humanitarian law,

Reaffirming the need to ensure adequate levels of safety and security for United Nations personnel and associated humanitarian personnel, including locally recruited staff, which constitutes an underlying duty of the Organization, and mindful of the need to promote and enhance the security consciousness within the organizational culture of the United Nations and a culture of accountability at all levels, as well as to continue to promote awareness of and sensitivity to national and local cultures and laws,

Noting the importance of reinforcing the close collaboration between the United Nations and the host country on contingency planning, information exchange and risk assessment in the context of good mutual cooperation on issues relating to the security of United Nations and associated personnel,

1. *Welcomes* the report of the Secretary-General;[248]

2. *Urges* all States to make every effort to ensure the full and effective implementation of the relevant principles and rules of international law, including international humanitarian law, human rights law and refugee law related to the safety and security of humanitarian personnel and United Nations personnel;

3. *Strongly urges* all States to take the necessary measures to ensure the safety and security of humanitarian personnel and United Nations and associated personnel and to respect and ensure respect for the inviolability of United Nations premises, which are essential to the continuation and successful implementation of United Nations operations;

4. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel and delivery of supplies and equipment, in order to allow those personnel to perform

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[246] Resolution 60/42, annex.

[247] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[248] A/63/305 and Corr.1.

efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

5. *Calls upon* all States to consider becoming parties to and to respect fully their obligations under the relevant international instruments;

6. *Also calls upon* all States to consider becoming parties to the Rome Statute of the International Criminal Court;[247]

7. *Further calls upon* all States to consider becoming parties to the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel[246] as soon as possible so as to ensure its rapid entry into force, and urges States parties to put in place appropriate national legislation, as necessary, to enable its effective implementation;

8. *Calls upon* all States, all parties involved in armed conflict and all humanitarian actors to respect the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance;

9. *Expresses deep concern* that, over the past decade, threats and attacks against the safety and security of humanitarian personnel and United Nations and associated personnel have escalated dramatically and that perpetrators of acts of violence seemingly operate with impunity;

10. *Strongly condemns* all threats and acts of violence against humanitarian personnel and United Nations and associated personnel, reaffirms the need to hold accountable those responsible for such acts, strongly urges all States to take stronger action to ensure that any such acts committed on their territory are investigated fully and to ensure that the perpetrators of such acts are brought to justice in accordance with national laws and obligations under international law, and urges States to end impunity for such acts;

11. *Calls upon* all States to comply fully with their obligations under international humanitarian law, including as provided by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[249] in order to respect and protect all humanitarian personnel in territories subject to their jurisdiction;

12. *Also calls upon* all States to provide adequate and prompt information in the event of the arrest or detention of humanitarian personnel or United Nations and associated personnel, so as to afford them the necessary medical assistance and to allow independent medical teams to visit and examine the health of those detained, and urges them to take the necessary measures to ensure the speedy release of those who have been arrested or detained in violation of the relevant conventions referred to in the present resolution and applicable international humanitarian law;

13. *Calls upon* all other parties involved in armed conflicts to refrain from abducting humanitarian personnel or United Nations and associated personnel or detaining them in violation of the relevant conventions referred to in the present resolution and applicable international humanitarian law, and speedily to release, without harm or requirement of concession, any abductee or detainee;

14. *Requests* the Secretary-General to take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and also requests the Secretary-General to seek the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and associated personnel, of the applicable conditions contained in the Convention on the Privileges and Immunities of the United Nations,[250] the Convention on the Privileges and Immunities of the Specialized Agencies[251] and the Convention on the Safety of United Nations and Associated Personnel;[245]

15. *Recommends* that the Secretary-General continue to seek the inclusion of, and that host countries include, key provisions of the Convention on the Safety of United Nations and Associated Personnel, among others, those regarding the prevention of attacks against members of the operation, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission, host country and other related agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements, and encourages further efforts in this regard;

16. *Reaffirms* the obligation of all humanitarian personnel and United Nations and associated personnel to respect and, where required, observe the national laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations;

17. *Stresses* the importance of ensuring that humanitarian personnel and United Nations and associated personnel remain sensitive to national and local customs and traditions in their countries of assignment and communicate clearly their purpose and objectives to local populations;

18. *Welcomes* ongoing efforts to promote and enhance security consciousness within the organizational culture of the United Nations system, and urges the Secretary-General to continue to intensify such efforts at all levels of leadership and staff, including by reviewing and further improving, in accordance with established procedures, the unified security management system, as well as by disseminating and ensuring

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[249] United Nations, *Treaty Series*, vol. 75, No. 973.

[250] Resolution 22 A (I).

[251] Resolution 179 (II).

the implementation of security procedures and regulations and ensuring accountability at all levels, and in this regard recognizes the important work of the Department of Safety and Security of the Secretariat;

19. *Takes note* of the report entitled "Towards a Culture of Security and Accountability" of the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide,[252] and looks forward to the report of the Secretary-General on measures to follow up on the Panel's recommendations and on the independent process on the issue of accountability, to be submitted for the consideration of the relevant Main Committee of the General Assembly during the sixty-third session;

20. *Emphasizes* the importance of paying special attention to the safety and security of United Nations and associated personnel engaged in United Nations peacekeeping and peacebuilding operations;

21. *Also emphasizes* the need to pay particular attention to the safety and security of locally recruited humanitarian personnel, who are particularly vulnerable to attacks and who account for the majority of casualties and cases of harassment and unlawful detention, requests the Secretary-General to keep under review the relevant internal United Nations policy, operational and administrative arrangements that can contribute to providing locally recruited personnel with adequate safety and security, and calls upon humanitarian organizations to ensure that their staff are adequately informed about and trained in their respective organization's relevant security measures, plans and initiatives, which should be in line with applicable national laws and international law;

22. *Requests* the Secretary-General to continue to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed about and operate in conformity with the minimum operating security standards and relevant codes of conduct and are properly informed about the conditions under which they are called upon to operate and the standards that they are required to meet, including those contained in relevant national laws and international law, and that adequate training in security, human rights law and international humanitarian law is provided so as to enhance their security and effectiveness in accomplishing their functions, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

23. *Welcomes* the ongoing efforts of the Secretary-General and stresses the need to ensure that all United Nations staff members receive adequate security training, including training to enhance cultural awareness, prior to their deployment to the field, as well as the need to attach a high priority to stress management training and related counselling services for United Nations staff throughout the system, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

24. *Emphasizes* the importance of information on the range and scope of security incidents involving humanitarian personnel and United Nations and associated personnel, including attacks against them, to clarify their operating environment;

25. *Welcomes* the ongoing efforts of the Secretary-General to further enhance the security management system of the United Nations, and in this regard invites the United Nations and, as appropriate, other humanitarian organizations, working closely with host States, to further strengthen the analysis of threats to their safety and security in order to manage security risks by facilitating informed decisions on the maintenance of an effective presence in the field, inter alia, to fulfil their humanitarian mandate;

26. *Also welcomes* the work of the Secretary-General in enhancing security collaboration with host Governments for the purpose of contributing to staff safety and security, including efforts to support United Nations designated officials with regard to collaboration with host Government authorities;

27. *Calls upon* all relevant actors to make every effort in their public statements to support a favourable environment for the safety and security of humanitarian personnel;

28. *Stresses* that the effective functioning at the country level of security operations requires a unified capacity for policy, standards, coordination, communication, compliance and threat and risk assessment, and notes the benefits thereof to United Nations and associated personnel, including those achieved by the Department of Safety and Security since its establishment;

29. *Requests* the Secretary-General, inter alia, through the Inter-Agency Security Management Network, to continue to promote increased cooperation and collaboration among United Nations departments, organizations, funds and programmes and affiliated international organizations, including between their headquarters and field offices, in the planning and implementation of measures aimed at improving staff security, training and awareness, and calls upon all relevant United Nations departments, organizations, funds and programmes and affiliated international organizations to support those efforts;

30. *Recognizes* the steps taken by the Secretary-General thus far, as well as the need for continued efforts to enhance coordination and cooperation, both at the headquarters and the field levels, between the United Nations and other humanitarian and non-governmental organizations on matters relating to the safety and security of humanitarian personnel and United Nations and associated personnel, with a view to addressing

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[252] Available from www.un.org/News/dh/infocus/terrorism/PanelOnSafetyReport.pdf.

mutual security concerns in the field, taking into account relevant national and local initiatives in this regard, inter alia, those derived from the "Saving Lives Together" framework, encourages collaborative initiatives to address security training needs, invites Member States to consider increasing support to those initiatives, and requests the Secretary-General to report on steps taken in this regard;

31. *Underlines* the need to allocate adequate and predictable resources to the safety and security of United Nations personnel, including through the consolidated appeals process, and encourages all States to contribute to the Trust Fund for Security of Staff Members of the United Nations System, inter alia, with a view to reinforcing the efforts of the Department of Safety and Security for the safety and security of personnel working in emergency and humanitarian operations;

32. *Also underlines* the need for better coordination between the United Nations and host Governments, in accordance with the relevant provisions of international law and national laws, on the use and deployment of essential equipment required to provide for the safety and security of United Nations personnel and associated personnel working in the delivery of humanitarian assistance by United Nations organizations;

33. *Recalls* the essential role of telecommunication resources in facilitating the safety of humanitarian personnel and United Nations and associated personnel, calls upon States to consider acceding to or ratifying the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations of 18 June 1998, which entered into force on 8 January 2005,[253] and urges them to facilitate and expedite, consistent with their national laws and international obligations applicable to them, the use of communications equipment in such operations, inter alia, by limiting and, whenever possible, expeditiously lifting the restrictions placed on the use of communications equipment by United Nations and associated personnel;

34. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a comprehensive and updated report on the safety and security of humanitarian personnel and protection of United Nations personnel and on the implementation of the present resolution.

RESOLUTION 63/139

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.49 and Add.1, sponsored by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Central African Republic, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Monaco, Mozambique, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia

63/139. Strengthening of the coordination of emergency humanitarian assistance of the United Nations

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council,

Taking note of the reports of the Secretary-General on the strengthening of the coordination of emergency humanitarian assistance of the United Nations[254] and on the Central Emergency Response Fund,[255] and of the independent review of the Central Emergency Response Fund, a summary of which is presented in the latter report,[256]

Reaffirming the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance,

Deeply concerned about the impact of the current global food crisis and the urgent humanitarian challenges related to this crisis, welcoming the establishment by the Secretary-General of the High-level Task Force on the Global Food Security Crisis, and emphasizing the importance of implementing the Comprehensive Framework for Action,[257]

Emphasizing the need to mobilize adequate, predictable, timely and flexible resources for humanitarian assistance based on and in proportion to assessed needs, with a view to ensuring fuller coverage of the needs in all sectors and across humanitarian emergencies, and in this regard recognizing the achievements of the Central Emergency Response Fund,

Expressing its deep concern at the increasing challenges faced by Member States and the United Nations humanitarian response capacity as a result of the consequences of natural disasters, including the impact of climate change, reaffirming the importance of implementing the Hyogo Framework of Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,[258] including by providing adequate resources for disaster risk reduction, including disaster preparedness,

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[253] United Nations, *Treaty Series*, vol. 2296, No. 40906.

[254] A/63/81-E/2008/71.

[255] A/63/348.

[256] Ibid., paras. 20–63.

[257] Available from www.un.org/issues/food/taskforce/cfa.shtml.

[258] A/CONF.206/6 and Corr.1, chap. I, resolution 2.

Emphasizing that enhancing international cooperation on emergency humanitarian assistance is essential, and reaffirming its resolution 63/141 of 11 December 2008 on international cooperation on humanitarian assistance in the field of natural disasters,

Noting with grave concern that violence, including gender-based violence, including sexual violence, and violence against children, continues to be deliberately directed against civilian populations in many emergency situations,

Condemning the increasing number of deliberate violent attacks against humanitarian personnel and facilities and the negative implications for the provision of humanitarian assistance to populations in need,

Paying tribute to all humanitarian personnel, including United Nations and associated personnel, who have worked to promote the humanitarian cause, as well as to those who have perished in the cause of duty,

Recognizing that building national and local preparedness and response capacity is critical to a more predictable and effective response,

Noting with appreciation the efforts made by the United Nations to improve humanitarian response, including by strengthening humanitarian response capacities, improving humanitarian coordination, enhancing predictable and adequate funding and strengthening accountability to all stakeholders,

Recognizing that in strengthening the coordination of humanitarian assistance in the field, United Nations organizations should continue to work in close coordination with national Governments,

1. *Takes note* of the outcome of the eleventh humanitarian affairs segment of the Economic and Social Council at its substantive session of 2008;[259]

2. *Requests* the Emergency Relief Coordinator to continue his efforts to strengthen the coordination of humanitarian assistance, and calls upon relevant United Nations and other relevant intergovernmental organizations, as well as other humanitarian and relevant development actors, to continue to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat to enhance the coordination, effectiveness and efficiency of humanitarian assistance;

3. *Calls upon* the relevant organizations of the United Nations system and, as appropriate, other relevant humanitarian actors, to continue efforts to improve the humanitarian response to natural and man-made disasters and complex emergencies by further strengthening the humanitarian response capacities at all levels, by continuing to strengthen the coordination of humanitarian assistance at the field level, including with national authorities of the affected State, as appropriate, and by further enhancing transparency, performance and accountability;

4. *Recognizes* the benefits of engagement and coordination with relevant humanitarian actors to the effectiveness of humanitarian response, and encourages the United Nations to continue to pursue efforts to strengthen partnerships at the global level with the International Red Cross and Red Crescent Movement, relevant humanitarian non-governmental organizations and other participants in the Inter-Agency Standing Committee;

5. *Requests* the Secretary-General to strengthen the support provided to United Nations resident/humanitarian coordinators and to United Nations country teams, including through the provision of necessary training, the identification of resources and by improving the identification of and selection process for United Nations resident/humanitarian coordinators;

6. *Reaffirms* the importance of implementing the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,[258] and calls upon national Governments and the international community to increase resources towards disaster risk reduction measures, including for preparedness for effective response and contingency planning;

7. *Encourages* the international community, including relevant United Nations organizations and the International Federation of Red Cross and Red Crescent Societies, to support efforts of Member States aimed at strengthening their capacity to prepare for and respond to disasters and to support efforts, as appropriate, to strengthen systems for identifying and monitoring disaster risk, including vulnerability and natural hazards;

8. *Recognizes* the importance of the work of international and, as appropriate, regional organizations in supporting State efforts to improve international cooperation in disaster response, and encourages Member States and, where applicable, regional organizations to strengthen operational and legal frameworks for international disaster relief, taking into account, as appropriate, the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance, adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007;

9. *Urges* Member States, the United Nations and other relevant organizations to take further steps to provide coordinated emergency response to food and nutrition needs of affected populations, while aiming to ensure that these measures are supportive of national strategies and programmes aimed at improving food security;

10. *Encourages* States to create an enabling environment for the capacity-building of local authorities and

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[259] See A/63/3, chap. VII. For the final text, see *Official Records of the General Assembly, Sixty-third Session, Supplement No. 3*.

national and local non-governmental and community-based organizations in order to ensure better preparedness in providing humanitarian assistance;

11. *Encourages* efforts to enhance cooperation and coordination of United Nations humanitarian entities, other relevant humanitarian organizations and donor countries with the affected State, with a view to planning and delivering emergency humanitarian assistance in ways that are supportive of early recovery as well as sustainable rehabilitation and reconstruction efforts;

12. *Also encourages* efforts to provide education in emergencies, including in order to contribute to a smooth transition from relief to development;

13. *Calls upon* relevant United Nations organizations to support the improvements of the consolidated appeals process, inter alia, by engaging in the preparation of needs analysis and common humanitarian action plans, in order to further the development of the process as an instrument for United Nations strategic planning and prioritization, and by involving other relevant humanitarian organizations in the process, while reiterating that consolidated appeals are prepared in consultation with affected States;

14. *Calls upon* United Nations humanitarian organizations, in consultation with Member States, as appropriate, to strengthen the evidence base for humanitarian assistance by further developing common mechanisms to improve the quality, transparency and reliability of humanitarian needs assessments, to assess their performance in assistance and to ensure the most effective use of humanitarian resources by these organizations;

15. *Calls upon* donors to provide adequate, timely, predictable and flexible resources based on and in proportion to assessed needs, including for underfunded emergencies, and encourages efforts to adhere to the principles of Good Humanitarian Donorship;[260]

16. *Welcomes* the important achievements made by the Central Emergency Response Fund in ensuring a more timely and predictable response to humanitarian emergencies, and stresses the importance of addressing the findings and recommendations contained in the report on the Central Emergency Response Fund,[255] in order to ensure that the resources are used in the most efficient, effective and transparent manner possible;

17. *Calls upon* all Member States and invites the private sector and all concerned individuals and institutions to consider increasing voluntary contributions to the Central Emergency Response Fund, and emphasizes that contributions should be additional to current commitments to humanitarian programming and not to the detriment of resources made available for international cooperation for development;

18. *Requests* the Secretary-General to commission an independent comprehensive review of the activities of the Central Emergency Response Fund, including the ability to meet its objectives, its administration, the needs assessment process and criteria for resource allocations, at the end of its fifth year of operation, and to submit a report on its findings and recommendations to the General Assembly at its sixty-sixth session;

19. *Invites* Member States, the private sector and all concerned individuals and institutions to consider voluntary contributions to other humanitarian funding mechanisms;

20. *Reiterates* that the Office for the Coordination of Humanitarian Affairs should benefit from adequate and more predictable funding;

21. *Reaffirms* the obligation of all States and parties to an armed conflict to protect civilians in armed conflicts in accordance with international humanitarian law, and invites States to promote a culture of protection, taking into account the particular needs of women, children, older persons and persons with disabilities;

22. *Calls upon* States to adopt preventive measures and effective responses to acts of violence committed against civilian populations in armed conflicts and to ensure that those responsible are promptly brought to justice, as provided for by national law and obligations under international law;

23. *Urges* all Member States to address gender-based violence in humanitarian emergencies and to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence, and calls upon States, the United Nations and all relevant humanitarian organizations to improve coordination, harmonize response and strengthen capacity in support services to victims of such violence;

24. *Recognizes* the Guiding Principles on Internal Displacement[261] as an important international framework for the protection of internally displaced persons, encourages Member States and humanitarian agencies to continue to work together in endeavours to provide a more predictable response to the needs of internally displaced persons, and in this regard calls for international support, upon request, for capacity-building efforts of States;

25. *Calls upon* all States and parties in complex humanitarian emergencies, in particular in armed conflict and in post-conflict situations, in countries in which humanitarian

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[260] A/58/99-E/2003/94, annex II.

[261] E/CN.4/1998/53/Add.2, annex.

personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel, as well as delivery of supplies and equipment, in order to allow them to efficiently perform their task of assisting affected civilian populations, including refugees and internally displaced persons;

26. *Decides* to designate 19 August as World Humanitarian Day in order to contribute to increasing public awareness about humanitarian assistance activities worldwide and the importance of international cooperation in this regard, as well as to honour all humanitarian and United Nations and associated personnel who have worked in the promotion of the humanitarian cause and those who have lost their lives in the cause of duty, and invites all Member States and the entities of the United Nations system, within existing resources, as well as other international organizations and non-governmental organizations, to observe it annually in an appropriate manner;

27. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session, through the Economic and Social Council at its substantive session of 2009, on progress made in strengthening the coordination of emergency humanitarian assistance of the United Nations and to submit a report to the Assembly on the detailed use of the Central Emergency Response Fund.

RESOLUTION 63/140

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.50 and Add.1, sponsored by: Albania, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Central African Republic, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Namibia, Netherlands, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

63/140. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 62/93 of 17 December 2007, as well as previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[262] and the subsequent implementation agreements concluded by the two sides,

Recalling further all relevant international law, including humanitarian and human rights law, and, in particular, the International Covenant on Civil and Political Rights,[263] the International Covenant on Economic, Social and Cultural Rights,[263] the Convention on the Rights of the Child,[264] and the Convention on the Elimination of All Forms of Discrimination against Women,[265]

Gravely concerned at the deterioration in the living conditions of the Palestinian people, in particular women and children, throughout the occupied Palestinian territory, which constitutes a mounting humanitarian crisis,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Welcoming, in this context, the development of projects, notably on infrastructure, to revive the Palestinian economy and improve the living conditions of the Palestinian people, stressing the need to create the appropriate conditions to facilitate the implementation of these projects, and noting the contribution of partners in the region and the international community,

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

Emphasizing the importance of the safety and well-being of all people, in particular women and children, in the whole Middle East region,

Deeply concerned about the negative impact, including the health and psychological consequences, of violence on the present and future well-being of children in the region,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Expressing grave concern about the humanitarian situation in Gaza, and underlining the importance of emergency and humanitarian assistance,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,

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[262] A/48/486-S/26560, annex.

[263] See resolution 2200 A (XXI), annex.

[264] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[265] Ibid., vol. 1249, No. 20378.

Underlining the importance of the International Donors' Conference for the Palestinian State, held in Paris on 17 December 2007, in mobilizing donors to provide financial and political support for the Palestinian Authority and, in the meantime, also to provide assistance to alleviate the socio-economic and humanitarian situation being faced by the Palestinian people, and welcoming the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in London on 2 May 2008 and in New York on 22 September 2008,

Welcoming the plan to resume the activities of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, and welcoming in this regard the support provided to the Palestinian Authority by the Task Force on Palestinian Reform, established by the Quartet in 2002,

Welcoming the outcome of the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and calling for its speedy implementation,

Welcoming also the convening of the Palestine Investment Conference, held in Bethlehem from 21 to 23 May 2008, aimed at promoting an enabling environment for Palestinian private sector growth and development,

Welcoming further the action of the Special Representative of the Quartet, Tony Blair, charged with developing, with the Government of the Palestinian Authority, a multi-year agenda to strengthen institutions, promote economic development and mobilize international funds,

Welcoming the continuing calm between Gaza and southern Israel, and expressing hope that this calm will persist and result in further relief for the civilian population of Gaza, including the regular opening of the crossings for the movement of persons and goods, for both humanitarian and commercial flows,

Noting the active participation of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority in the activities of the Special Envoys of the Quartet,

Welcoming the endorsement by the Security Council, in its resolution 1515 (2003) of 19 November 2003, of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[266] and stressing the need for its implementation and compliance with its provisions,

Noting the Israeli withdrawal from the Gaza Strip in 2005 and parts of the northern West Bank as a step towards implementation of the road map,

Commending the continuous efforts made by both parties since the convening of the international conference in Annapolis, United States of America, on 27 November 2007, in order to reach an agreement as soon as possible, so as to ensure the establishment of an independent, democratic and viable Palestinian state, living in peace and security alongside Israel,

Having considered the report of the Secretary-General,[267]

Expressing grave concern about the continuation of the tragic and violent events that have led to many deaths and injuries, including among children and women,

1. *Takes note* of the report of the Secretary-General;[267]

2. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

4. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

6. *Welcomes*, in this regard, the meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians and the significant results of the Paris International Donors' Conference for the Palestinian State which succeeded in mobilizing the international community and led to the disbursement of 1.36 billion United States dollars in budgetary support as of 22 September 2008;

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[266] S/2003/529, annex.

[267] A/63/75-E/2008/52.

7. *Stresses* the importance of following up on the results of the Paris Conference, including calls upon donors that have not yet converted their budget support pledges into disbursements to transfer funds as soon as possible, encourages all donors to increase their direct assistance to the Palestinian Authority in accordance with its government programme in order to enable it to build a viable and prosperous Palestinian state, underlines the need for equitable burden sharing by donors in this effort, and encourages donors to consider aligning funding cycles with the Palestinian Authority's national budget cycle;

8. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with priorities set forth by the Palestinian side;

9. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian situation being faced by Palestinian women, children and their families and to help in the reconstruction of relevant Palestinian institutions;

10. *Stresses* the role that all funding instruments, including the European Commission's Palestinian-European Mechanism for the Management of Socio-Economic Aid and the World Bank trust fund, have been playing in directly assisting the Palestinian people;

11. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;

12. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

13. *Stresses*, in this context, the importance of ensuring free humanitarian access to the Palestinian people and the free movement of persons and goods;

14. *Also stresses* the need for the full implementation by both parties of the Agreement on Movement and Access and of the Agreed Principles for the Rafah Crossing, of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population, as well as for imports and exports, within and into and out of the Gaza Strip;

15. *Urges* the international donor community, United Nations agencies and organizations and non-governmental organizations to extend to the Palestinian people, as rapidly as possible, emergency economic assistance and humanitarian assistance, particularly in the Gaza Strip, to counter the impact of the current crisis;

16. *Stresses* the need for the continued implementation of the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[268] including with regard to the full, prompt and regular transfer of Palestinian indirect tax revenues;

17. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(*a*) An assessment of the assistance actually received by the Palestinian people;

(*b*) An assessment of the needs still unmet and specific proposals for responding effectively to them;

18. *Decides* to include in the provisional agenda of its sixty-fourth session the sub-item entitled "Assistance to the Palestinian people".

RESOLUTION 63/141

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.53 and Add.1, as orally revised, sponsored by: Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Japan, Mexico, Russian Federation

63/141. International cooperation on humanitarian assistance in the field of natural disasters, from relief to development

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991, the annex to which contains the guiding principles for the strengthening of the coordination of emergency humanitarian assistance of the United Nations system, as well as all its resolutions on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development, and recalling the resolutions of the humanitarian segments of the substantive sessions of the Economic and Social Council,

Recognizing the importance of the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance,

Welcoming the Hyogo Declaration,[269] the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters[270] and the common statement of the special session on the Indian Ocean disaster: risk reduction for a safer future,[271] as adopted by the World

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[268] A/51/889-S/1997/357, annex.

[269] A/CONF.206/6 and Corr.1, chap. I, resolution 1.

[270] Ibid., resolution 2.

[271] A/CONF.206/6 and Corr.1, annex II.

Conference on Disaster Reduction, held in Kobe, Hyogo, Japan, from 18 to 22 January 2005,

Emphasizing that the affected State has the primary responsibility in the initiation, organization, coordination and implementation of humanitarian assistance within its territory and in the facilitation of the work of humanitarian organizations in mitigating the consequences of natural disasters,

Emphasizing also the responsibility of all States to undertake disaster preparedness, response and early recovery efforts in order to minimize the impact of natural disasters, while recognizing the importance of international cooperation in support of the efforts of affected countries which may have limited capacities in this regard,

Expressing its deep concern at the increasing challenges to Member States and to the United Nations humanitarian response capacity presented by the consequences of natural disasters, including the impact of climate change, and by the humanitarian implications of the current global food crisis,

Noting that local communities are the first responders in most disasters, and underlining the critical role played by in-country capacities in disaster risk reduction, including preparedness, response and recovery,

Recognizing the importance of international cooperation in support of the efforts of the affected States in dealing with natural disasters in all their phases, in particular in preparedness, response and the early recovery phase, and of strengthening the response capacity of countries affected by disaster,

Noting with appreciation the important role played by Member States, including developing countries, that have granted necessary and continued generous assistance to countries and peoples stricken by natural disasters,

Recognizing the significant role played by national Red Cross and Red Crescent societies, as part of the International Red Cross and Red Crescent Movement, in disaster preparedness and risk reduction, disaster response, rehabilitation and development,

Emphasizing the importance of addressing vulnerability and integrating risk reduction into all phases of natural disaster management, post-natural disaster recovery and development planning,

Recognizing that efforts to achieve economic growth, sustainable development and internationally agreed development goals, including the Millennium Development Goals, can be adversely affected by natural disasters, and noting the positive contribution that those efforts can make in strengthening the resilience of populations to such disasters,

Emphasizing, in this context, the important role of development organizations in supporting national efforts to mitigate the consequences of natural disasters,

1. *Takes note* of the report of the Secretary-General;[272]

2. *Expresses its deep concern* at the number and scale of natural disasters and their increasing impact, resulting in massive losses of life and property worldwide, in particular in vulnerable societies lacking adequate capacity to mitigate effectively the long-term negative social, economic and environmental consequences of natural disasters;

3. *Calls upon* States to fully implement the Hyogo Declaration[269] and the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,[270] in particular those commitments related to assistance for developing countries that are prone to natural disasters and for disaster-stricken States in the transition phase towards sustainable physical, social and economic recovery, for risk-reduction activities in post-disaster recovery and for rehabilitation processes;

4. *Calls upon* all States to adopt, where required, and to continue to implement effectively, necessary legislative and other appropriate measures to mitigate the effects of natural disasters and integrate disaster risk reduction strategies into development planning, and in this regard requests the international community to continue to assist developing countries as well as countries with economies in transition, as appropriate;

5. *Encourages* Member States and, where applicable, regional organizations to strengthen operational and legal frameworks for international disaster relief, taking into account, as appropriate, the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance, adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held from 26 to 30 November 2007;

6. *Welcomes* the effective cooperation among the affected States, relevant bodies of the United Nations system, donor countries, regional and international financial institutions and other relevant organizations, such as the International Red Cross and Red Crescent Movement, and civil society, in the coordination and delivery of emergency relief, and stresses the need to continue such cooperation and delivery throughout relief operations and medium- and long-term rehabilitation and reconstruction efforts, in a manner that reduces vulnerability to future natural hazards;

7. *Reiterates* the commitment to support the efforts of countries, in particular developing countries, to strengthen their capacities at all levels in order to prepare for and respond rapidly to natural disasters and mitigate their impact;

8. *Urges* Member States to develop, update and strengthen disaster preparedness and risk reduction measures at

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[272] A/63/277.

all levels, in accordance with priority five of the Hyogo Framework for Action, taking into account their own circumstances and capacities and in coordination with relevant actors, as appropriate, and encourages the international community and relevant United Nations entities to continue to support national efforts in this regard;

9. *Encourages* Member States to consider elaborating and presenting to the International Strategy for Disaster Reduction secretariat their national platforms for disaster reduction in accordance with the Hyogo Framework for Action, and also encourages States to cooperate with each other to reach this objective;

10. *Stresses* that, to increase further the effectiveness of humanitarian assistance, particular international cooperation efforts should be undertaken to enhance and broaden further the utilization of national and local capacities and, where appropriate, of regional and subregional capacities of developing countries for disaster preparedness and response, which may be made available in closer proximity to the site of a disaster, and more efficiently and at lower cost;

11. *Also stresses*, in this context, the importance of strengthening international cooperation, particularly through the effective use of multilateral mechanisms, in the timely provision of humanitarian assistance through all phases of a disaster, from relief and recovery to development, including the provision of adequate resources;

12. *Takes note* that a review of the Central Register of Disaster Management Capacities, planned for 2009, is expected to assess its value added and user satisfaction, and requests the Secretary-General to report on its findings;

13. *Reaffirms* the role of the Office for the Coordination of Humanitarian Affairs of the Secretariat as the focal point within the overall United Nations system for advocacy for and coordination of humanitarian assistance among United Nations humanitarian organizations and other humanitarian partners;

14. *Welcomes*, so as to increase further the effectiveness of humanitarian assistance, the incorporation of experts from developing countries that are prone to natural disasters into the United Nations Disaster Assessment and Coordination system, and the work of the International Search and Rescue Advisory Group in assisting such countries in strengthening urban search and rescue capacities and establishing mechanisms for improving their coordination of national and international response in the field, and recalls in this regard its resolution 57/150 of 16 December 2002 entitled "Strengthening the effectiveness and coordination of international urban search and rescue assistance";

15. *Recognizes* that information and telecommunication technology can play an important role in disaster response, encourages Member States to develop emergency response telecommunication capacities, and encourages the international community to assist the efforts of developing countries in this area, where needed, including in the recovery phase;

16. *Encourages* States that have not acceded to or ratified the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations,[273] to consider doing so;

17. *Encourages* the further use of space-based and ground-based remote- sensing technologies, as well as the sharing of geographical data, for the prevention, mitigation and management of natural disasters, where appropriate, and invites Member States to continue to provide their support to the consolidation of the United Nations capability in the area of satellite-derived geographical information for early warning, preparedness, response and early recovery;

18. *Encourages* Member States, relevant United Nations organizations and international financial institutions to enhance the global capacity for sustainable post-disaster recovery in areas such as coordination with traditional and non-traditional partners, identification and dissemination of lessons learned, development of common tools and mechanisms for recovery needs assessment, strategy development and programming, and incorporation of risk reduction into all recovery processes, and welcomes the ongoing efforts to this end;

19. *Encourages* Member States and relevant regional and international organizations to identify and improve the dissemination of best practices for improving disaster preparedness, response and early recovery and to scale up successful local initiatives, as appropriate;

20. *Requests* the United Nations system to improve its coordination of disaster recovery efforts, from relief to development, inter alia, by strengthening institutional, coordination and strategic planning efforts in disaster recovery, in support of national authorities;

21. *Calls upon* relevant United Nations humanitarian and development organizations, in consultation with Member States, to strengthen tools and mechanisms to ensure that early recovery needs and support are considered part of the planning and implementation of humanitarian response and development cooperation activities, as appropriate;

22. *Calls upon* the United Nations system and other humanitarian actors to improve the dissemination of tools and services to support enhanced disaster risk reduction;

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[273] United Nations, *Treaty Series*, vol. 2296, No. 40906.

23. *Calls upon* relevant United Nations humanitarian and development organizations to continue efforts to ensure continuity and predictability in their response and to further improve coordination in recovery processes in support of the efforts of national authorities;

24. *Emphasizes* the need to mobilize adequate, flexible and sustainable resources for recovery, preparedness and disaster risk reduction activities;

25. *Stresses* the importance of rapid access to funds to ensure a more predictable and timely United Nations response to humanitarian emergencies, and welcomes in this regard the achievements of the Central Emergency Response Fund and its contribution to the promotion and enhancement of early humanitarian response;

26. *Calls upon* all Member States and invites the private sector and all concerned individuals and institutions to consider increasing voluntary contributions to the Central Emergency Response Fund, and emphasizes that contributions should be additional to current commitments to humanitarian programming and not to the detriment of resources made available for international cooperation for development;

27. *Invites* Member States, the private sector and all concerned individuals and institutions to consider voluntary contributions to other humanitarian funding mechanisms;

28. *Requests* the Secretary-General to continue to improve the international response to natural disasters and to report thereon to the General Assembly at its sixty-fourth session, and to include in his report, within existing resources, an analysis of the possible gaps existing in the assistance provided in the period between emergency relief and development, taking into account information provided by Member States and relevant United Nations entities, with a view to formulating recommendations on how to address any problems identified in a systematic manner and to ensuring sustainable solutions, particularly in rehabilitation and reconstruction.

RESOLUTION 63/142

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.25/Rev.1 and Add.1, sponsored by: Antigua and Barbuda, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Denmark, Finland, France, Germany, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Lesotho, Lithuania, Luxembourg, Madagascar, Mexico, Netherlands, New Zealand, Nigeria, Norway, Peru, Philippines, Portugal, Republic of Korea, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay

63/142. Legal empowerment of the poor and eradication of poverty

The General Assembly,

Recalling the 2005 World Summit Outcome,[274]

Recalling also the United Nations Millennium Declaration,[275] the Monterrey Consensus of the International Conference on Financing for Development[276] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[277]

Reaffirming the importance of the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including the Millennium Development Goals,

Recognizing that empowerment of the poor is essential for the effective eradication of poverty and hunger,

Reaffirming that the rule of law at the national and international levels is essential for sustained economic growth, sustainable development and the eradication of poverty and hunger,

Reaffirming also that each country must take primary responsibility for its own development and that the role of national policies and development strategies cannot be overemphasized in the achievement of sustainable development, and recognizing that national efforts should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty,

1. *Takes note* of the final report of the Commission on Legal Empowerment of the Poor, entitled "Making the Law Work for Everyone";[278]

2. *Stresses* the importance of sharing best national practices in the area of legal empowerment of the poor;

3. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session on the legal empowerment of the poor, under the item entitled "Eradication of poverty and other development issues", taking into account national experiences in this regard.

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[274] See resolution 60/1.

[275] See resolution 55/2.

[276] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[277] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[278] Available from www.undp.org/LegalEmpowerment/reports/concept2action.html.

RESOLUTION 63/143

Adopted at the 68th plenary meeting, on 11 December 2008, without a vote, on the basis of draft resolution A/63/L.41 and Add.1, sponsored by: Andorra, Angola, Argentina, Australia, Austria, Bosnia and Herzegovina, Brazil, Canada, Cape Verde, Croatia, Czech Republic, Equatorial Guinea, Fiji, Finland, France, Guinea-Bissau, Liberia, Luxembourg, Mauritius, Mozambique, Portugal, Romania, Sao Tome and Principe, Senegal, South Africa, Spain, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey

63/143. Cooperation between the United Nations and the Community of Portuguese-speaking Countries

The General Assembly,

Recalling its resolution 54/10 of 26 October 1999, by which it granted observer status to the Community of Portuguese-speaking Countries and considered it mutually advantageous to provide for cooperation between the United Nations and the Community of Portuguese-speaking Countries, as well as its resolutions 59/21 of 8 November 2004 and 61/223 of 20 December 2006,

Recalling also the Articles of the Charter of the United Nations, in particular of Chapter VIII, that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations, and Security Council resolution 1809 (2008) of 16 April 2008 on peace and security in Africa,

Considering that the activities of the Community of Portuguese-speaking Countries complement and support the work of the United Nations,

Welcoming the celebration by the United Nations Educational, Scientific and Cultural Organization, for the third consecutive year, of Portuguese Language Day, on 23 June 2008,

1. *Notes with appreciation* the outcome of the seventh Conference of Heads of State and Government of the Community of Portuguese-speaking Countries, held in Lisbon on 24 and 25 July 2008, which recognizes the economic value of the Portuguese language and the political commitment to promote it in the international and regional organizations and United Nations agencies and programmes;

2. *Expresses satisfaction* with the strengthening of cooperation between the Community of Portuguese-speaking Countries and the specialized agencies and other bodies and programmes of the United Nations, in particular the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the International Labour Organization and the Joint United Nations Programme on HIV/AIDS;

3. *Welcomes* the signature of a cooperation agreement between the Executive Secretariat of the Community of Portuguese-speaking Countries and the Portuguese Language Unit of the Radio and Television Service of the Department of Public Information of the Secretariat, in New York on 25 April 2008, regarding the exchange of information and cooperation to organize initiatives to promote cultural diversity within the Portuguese-speaking countries;

4. *Also welcomes* the signature of a cooperation agreement between the International Fund for Agricultural Development and the Community of Portuguese-speaking Countries on 8 November 2007, on combating rural poverty in Portuguese-speaking developing countries, as well as the work done by the Executive Secretariat of the Community of Portuguese-speaking Countries, within the framework of the technical cooperation project signed in May 2008 with the Food and Agriculture Organization of the United Nations, which aims at the formulation of a South-South and North-South cooperation programme for the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[279]

5. *Further welcomes* the establishment of the partnership between the Community of Portuguese-speaking countries and the International Labour Organization Office in Lisbon, which aims at the creation of an interactive platform for the Governments of the Portuguese-speaking countries to exchange information and experiences within the scope of social protection, decent work, monitoring of labour standards and working conditions, and the fight against child labour;

6. *Recognizes* the importance of the signature, in Istanbul, Turkey, on 5 November 2008, of a cooperation agreement between the Community of Portuguese-speaking Countries and the secretariat of the Convention, with a view to developing joint actions in the fields of combating desertification, land degradation, drought mitigation, water scarcity and poverty;

7. *Encourages* the Secretary-General and the Executive Secretary of the Community of Portuguese-speaking Countries to initiate consultations with a view to considering the establishment of a formal cooperation agreement;

8. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Community of Portuguese-speaking Countries".

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[279] United Nations, *Treaty Series*, vol. 1954, No. 33480.

RESOLUTION 63/144

Adopted at the 69th plenary meeting, on 15 December 2008, without a vote, on the basis of draft resolution A/63/L.39/Rev.1 and Add.1, sponsored by: Afghanistan, Azerbaijan, Belarus, Bosnia and Herzegovina, Cambodia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Uzbekistan

63/144. Cooperation between the United Nations and the Economic Cooperation Organization

The General Assembly,

Recalling its resolution 48/2 of 13 October 1993, by which it granted observer status to the Economic Cooperation Organization,

Recalling also its previous resolutions on cooperation between the United Nations and the Economic Cooperation Organization, in which it invited various specialized agencies as well as other organizations and programmes of the United Nations system and relevant international financial institutions to join in the efforts towards realizing the goals and objectives of the Economic Cooperation Organization,

Recalling further the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Expressing its support for the plans and programmes of the Economic Cooperation Organization aimed at achieving internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[280]

Welcoming the efforts of the Economic Cooperation Organization to consolidate ties with the United Nations system and relevant international and regional organizations,

1. *Takes note with appreciation* of the report of the Secretary-General on the implementation of resolution 61/12 of 13 November 2006,[281] and expresses satisfaction at the enhanced cooperation between the United Nations and the Economic Cooperation Organization;

2. *Takes note* of the Herat Declaration, adopted at the seventeenth meeting of the Council of Ministers of the Economic Cooperation Organization, held in Herat, Afghanistan, on 20 October 2007, in which the Council reaffirmed its commitment to establish a free-trade area in the Economic Cooperation Organization region by 2015 as a priority task, extended the Programme of Action for the Economic Cooperation Organization Decade of Transport and Communications, and called for joint action for human resources development, poverty alleviation and disaster mitigation and management;

3. *Stresses* the importance of the continuation and expansion of areas of cooperation between the United Nations and the Economic Cooperation Organization, including the provision of financial and technical assistance for pre-feasibility and feasibility studies of projects, consultancy services, workshops and training courses and project management services by specialized agencies of the United Nations, in the ongoing as well as future activities of the Economic Cooperation Organization;

4. *Appreciates* the technical and financial assistance extended by the United Nations and its specialized agencies, as well as other international and regional organizations, to the Economic Cooperation Organization for its economic development programmes and projects, and encourages them to continue to support its activities;

5. *Calls for* a further increase in the technical assistance of the World Trade Organization, the United Nations Conference on Trade and Development and the International Trade Centre UNCTAD/WTO to the States members of the Economic Cooperation Organization, which are at various levels of development and some of which are in the process of acceding to the World Trade Organization, with a view to expanding their intra- and interregional trade, which may promote their sustainable economic development goals, including trade liberalization, leading to regional and global integration;

6. *Welcomes* the enhancement of cooperation between the United Nations Industrial Development Organization and the Economic Cooperation Organization, and recommends continuation of their joint programmes to strengthen the institutional infrastructure to overcome the technical barriers to trade and promote sanitary and phytosanitary measures to be taken by the States members of the Economic Cooperation Organization;

7. *Also welcomes* the initiative to sign a trilateral agreement between the Economic Cooperation Organization, the Islamic Development Bank and the Economic and Social Commission for Asia and the Pacific for joint projects under the Asian Highway Network and Trans-Asian Railway Network initiatives of the Commission, as well as the implementation of the Economic Cooperation Organization Transit Transport Framework Agreement and the Programme of Action for the Economic Cooperation Organization Decade of Transport and Communications, and invites the donor institutions and countries to support the projects;

8. *Takes note* of progress on the Istanbul-Almaty container and passenger train project of the Economic Cooperation Organization, and calls upon the relevant United Nations agencies to join the Organization's efforts to revitalize the China-Middle East-Europe railway corridor, providing an

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[280] See resolution 55/2.

[281] See A/63/228-S/2008/531 and Corr.1, sect. H.

uninterrupted railway connection between China and Europe through the Economic Cooperation Organization region;

9. *Also takes note* of the Tashkent Declaration on the United Nations Special Programme for the Economies of Central Asia,[282] and welcomes coordination between the Economic Cooperation Organization and the Special Programme;

10. *Takes note with appreciation* of the initiative of the Economic Cooperation Organization to launch a demonstration train on the Islamabad-Tehran-Istanbul route as well as on the route through Afghanistan, and calls upon the relevant regional and international institutions to assist the Organization in operationalizing the routes by making up the missing links;

11. *Appreciates* the efforts of the Economic Cooperation Organization to develop energy trade in the region in cooperation with international organizations, especially the Economic and Social Commission for Asia and the Pacific, the World Bank and the Islamic Development Bank, and requests their continued support for the preparation and efficient implementation of regional programmes on energy efficiency and conservation;

12. *Also appreciates* the holding of the donor conference in Turkey on 8 May 2008 in support of the regional programme of the Economic Cooperation Organization for food security, invites the relevant United Nations bodies, international organizations and donor agencies to assist in the efficient implementation of the programme, and calls for their support for the technical cooperation programme for strengthening seed supply in the region;

13. *Welcomes* the establishment of the Economic Cooperation Organization Regional Centre for Risk Management of Natural Disasters, and invites United Nations institutions and international donors and financial institutions to extend their support for the further development of the Centre and to assist member States in developing their early warning systems and their capacity for timely response and rehabilitation, with a view to reducing human casualties and the socio-economic impact of natural disasters;

14. *Notes with satisfaction* the priority given by the Economic Cooperation Organization to Millennium Development Goals related to child mortality, maternal health and combating HIV/AIDS, and recommends that United Nations agencies, especially the United Nations Development Programme, the World Health Organization, the United Nations Population Fund and the United Nations Children's Fund, assist the Economic Cooperation Organization in preparing an analytical regional report on the health-related Millennium Development Goals;

15. *Calls for* the strengthening of the technical assistance provided by the relevant United Nations bodies, in particular the United Nations Environment Programme, to the Economic Cooperation Organization plan of action for cooperation on the environment, especially in such priority areas as the transfer of technology and the implementation of strategic plans and projects;

16. *Notes with satisfaction* the adoption of the workplan on biodiversity in the Economic Cooperation Organization region aimed at achieving, with the assistance of the relevant United Nations bodies, the common objectives of the global 2010 biodiversity target and ensuring the sustainable use of biological and genetic resources as well as equitable sharing of the resulting benefits;

17. *Appreciates* the efforts of the Economic Cooperation Organization and its member States in combating the production of and trafficking in narcotic drugs and calls for increased cooperation between the Organization and relevant United Nations bodies, including the United Nations Office on Drugs and Crime, as well as the European Commission and the international community, and also calls for further exploration of the capacity of the Economic Cooperation Organization to effectively combat the production of and trafficking in narcotic and psychotropic drugs;

18. *Also appreciates* the initiatives of the Economic Cooperation Organization to combat transnational crime, and encourages closer collaboration between the Economic Cooperation Organization and the United Nations Office on Drugs and Crime for the prevention of corruption and money-laundering;

19. *Welcomes* the memorandums of understanding between the Economic Cooperation Organization and the secretariat of the International Strategy for Disaster Reduction and the International Road Transport Union as well as the exchange of notes verbales between the Organization and the Office for the Coordination of Humanitarian Affairs of the Secretariat, and calls for the effective implementation of those agreements;

20. *Takes note with appreciation* of the progress made by the Economic Cooperation Organization in expanding external relations, especially strengthening relations with regional peers and other international organizations;

21. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Economic Cooperation Organization".

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[282] A/53/96, annex II.

RESOLUTION 63/145

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the basis of draft resolution A/63/L.58, submitted by the President of the General Assembly

63/145. Election by the General Assembly of seven members of the Organizational Committee of the Peacebuilding Commission: term of office

The General Assembly,

Recalling its resolution 60/180 and Security Council resolution 1645 (2005), both of 20 December 2005, in which the General Assembly and the Security Council concurrently operationalized the decision by the 2005 World Summit to establish the Peacebuilding Commission as an intergovernmental advisory body,[283]

Recalling in particular paragraphs 4 (*a*) to (*e*) and 5 of the above-mentioned resolutions setting out the arrangements for the composition of the Organizational Committee of the Peacebuilding Commission,

Recalling its resolution 60/261 of 8 May 2006 on the arrangements for the election by the General Assembly of seven members of the Organizational Committee of the Peacebuilding Commission,

Recalling also General Assembly decision 62/419 B of 11 July 2008, whereby the term of office of the members of the General Assembly on the Organizational Committee of the Peacebuilding Commission due to expire on 22 June 2008 was extended until 31 December 2008,

1. *Decides* that, beginning with the election to be held during the sixty-third session, the term of office of the members of the General Assembly on the Organizational Committee of the Peacebuilding Commission shall begin on 1 January instead of 23 June;

2. *Also decides* that the term of office of the two members of the General Assembly on the Organizational Committee of the Peacebuilding Commission due to expire on 22 June 2009, namely Georgia and Jamaica, shall be extended until 31 December 2009;

3. *Invites* other bodies with members on the Organizational Committee of the Peacebuilding Commission that have not yet done so to adjust the term of office of their respective members so that the term of office of all members of the Organizational Committee can start on 1 January.

RESOLUTION 63/198

Adopted at the 71st plenary meeting, on 18 December 2008, without a vote, on the basis of draft resolution A/63/L.55 and Add.1, sponsored by: Albania, Australia, Austria, Belize, Denmark, Egypt, Finland, France, Iceland, Israel, Jordan, Kuwait, Luxembourg, Maldives, Morocco, Netherlands, Oman, Panama, Qatar, Singapore, Slovenia, Spain, Sweden, Thailand

63/198. Supporting the United Nations International School in enhancing international education and promoting multicultural interaction

The General Assembly,

Recalling its resolutions 1102 (XI) of 27 February 1957, 1228 (XII) of 14 December 1957, 2003 (XIX) of 10 February 1965 and 2612 (XXIV) of 16 December 1969, relating to the location, construction and funding of the permanent accommodation of the United Nations International School,

Noting that the School, which was first established on the premises of the United Nations at Lake Success in 1947, is now celebrating its sixtieth anniversary,

Noting also, as stated in its by-laws, that the "purposes of the School shall be to establish, operate and maintain, under the auspices of the United Nations, a school to promote and provide an international education conforming to the spirit and principles contained in the Charter of the United Nations for the children of persons officially connected with the United Nations, as well as for the children of other persons desirous of obtaining a similar education for their children and to promote educational activities of international character",

Noting further the role of the School as a factor in the recruitment and retention of international staff of the United Nations,

Recognizing that the School continues to make an indispensable contribution to the United Nations community by providing a suitable international education to successive generations of children from that community and others,

Recognizing also the high academic standards that the School has established as a premier international school recognized for its leadership in multicultural and multilingual education, and that it is a crucible of multi-ethnicity and multiculturalism which promotes the appreciation of diverse cultural capacities,

Noting that the School has embarked on much-needed renovation and improvement of its buildings and grounds that will update the facilities and add to the classroom space, which will greatly improve its educational capacities,

1. *Congratulates* the United Nations International School on its sixtieth anniversary;

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[283] See resolution 60/1.

2. *Expresses its appreciation* for the outstanding achievements of the School and for the valuable contribution it continues to make to the education and development of successive generations of children from the United Nations community;

3. *Notes* that the School is implementing a renovation programme to update and improve the facilities of the School;

4. *Urges* Member States and others in a position to do so to contribute generously to the Capital Development Fund of the School for the renovation programme, with a view to further enhancing international education and promoting multicultural interaction;

5. *Requests* the Secretary-General to continue to provide to the School such assistance as appropriate in furtherance of its object and purposes.

RESOLUTION 63/199

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the basis of draft resolution A/63/L.29/Rev.1 and Add.1, sponsored by: Albania, Argentina, Austria, Belgium, Brazil, Bulgaria, Canada, Cape Verde, Chile, Croatia, Cyprus, Czech Republic, Denmark, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Haiti, Hungary, Iceland, Kenya, Kyrgyzstan, Lithuania, Luxembourg, Malawi, Malta, Netherlands, Nigeria, Norway, Philippines, Poland, Portugal, Rwanda, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Uganda, United Republic of Tanzania

63/199. International Labour Organization Declaration on Social Justice for a Fair Globalization

The General Assembly,

Recalling the outcomes of the major United Nations conferences and summits in the economic, social and related fields, including the development goals and objectives contained therein, and recognizing the vital role played by these conferences and summits in shaping a broad development vision and in identifying commonly agreed objectives, which have contributed to the improvement of human life in different parts of the world,

Reaffirming the commitment made in the 2005 World Summit Outcome[284] to full and productive employment and decent work for all, including for women and young people, as a central objective of relevant national and international policies as well as national development strategies, including poverty reduction strategies, as part of the efforts to achieve the Millennium Development Goals,

Recalling its resolution 59/57 of 2 December 2004 on the report of the World Commission on the Social Dimension of Globalization entitled *A Fair Globalization: Creating Opportunities for All*,[285]

Recalling also its resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review of operational activities for development of the United Nations system,

Reaffirming the resolve expressed in the United Nations Millennium Declaration[286] to ensure that globalization becomes a positive force for the people of the entire world and the commitment to ensuring greater policy coherence and better cooperation between the United Nations, its agencies, the Bretton Woods institutions and other multilateral bodies, with a view to achieving the internationally agreed development goals, including the Millennium Development Goals,

Recognizing that full and productive employment and decent work for all is one of the key elements of poverty reduction strategies that facilitate the achievement of the internationally agreed development goals, including the Millennium Development Goals, and that it requires a multidimensional focus that incorporates Governments, the private sector, civil society, non-governmental organizations, representatives of employers and workers, international organizations and, in particular, the agencies of the United Nations system and the international financial institutions,

Reaffirming that development is a central goal in and of itself and that sustainable development in its economic, social and environmental aspects constitutes a key element of the overarching framework of United Nations activities,

1. *Takes note with interest* of the adoption of the Declaration on Social Justice for a Fair Globalization[287] and its accompanying resolution at the ninety-seventh session of the International Labour Conference, and calls for their implementation;

2. *Recognizes* that in the present context of globalization, achieving an improved and fair outcome for all has become even more necessary in order to meet the universal aspiration for social justice, reach full employment, ensure the sustainability of open societies and the global economy, achieve social cohesion and combat poverty and rising inequalities;

3. *Also recognizes* that the social impact of the current economic crisis may disproportionately affect the weakest and most vulnerable segments of society, through increased poverty, underemployment, growth in inequality and difficult social conditions;

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[284] Ibid.

[285] See A/59/98-E/2004/79.

[286] See resolution 55/2.

[287] A/63/538-E/2009/4, annex.

4. *Reiterates its support* for a fair globalization, and resolves to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of relevant national and international policies, including poverty reduction strategies, as well as other measures which may be developed in response to the current economic crisis, as appropriate, with the aim of achieving the internationally agreed development goals, including the Millennium Development Goals;

5. *Supports* the call of the Declaration to promote and contribute to the implementation of an integrated approach to the decent work agenda, based on the four inseparable, interrelated and mutually supportive strategic objectives of employment creation, fundamental principles and rights at work, social dialogue and social protection;

6. *Reiterates* that the Toolkit for Mainstreaming Employment and Decent Work,[288] as adopted by the United Nations System Chief Executives Board for Coordination and endorsed by the Economic and Social Council,[289] provides a practical method for advancing coherence in policymaking and implementation on these issues within the United Nations system;

7. *Requests* the United Nations funds, programmes, specialized agencies and financial institutions to continue to mainstream the goals of full and productive employment and decent work for all in their policies, programmes and activities through promotion of an integrated approach, including the application of the Toolkit;

8. *Encourages* Member States to consider applying the principles set out in the Toolkit at the national level in an effort to promote policy coherence around the promotion of full and productive employment and decent work for all;

9. *Recognizes* the particular relevance of the International Labour Organization Declaration on Social Justice for a Fair Globalization in the light of the World Day of Social Justice, and encourages active dialogue and collaboration among the various funds, programmes and specialized agencies of the United Nations system, as well as at the national level, including civil society and non-governmental organizations;

10. *Requests* the Secretary-General to duly take into account the International Labour Organization Declaration on Social Justice for a Fair Globalization when considering related reports in the economic and social fields.

RESOLUTION 63/200

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the basis of draft resolution A/63/L.56 and Add.1, sponsored by: Australia, Bosnia and Herzegovina, Canada, Czech Republic, Egypt, Fiji, Finland, France, Guyana, Ireland, Israel, Italy, Japan, Luxembourg, Marshall Islands, Micronesia (Federated States of), Nauru, New Zealand, Palau, Papua New Guinea, Philippines, Portugal, Samoa, Singapore, Slovenia, Solomon Islands, Switzerland, Thailand, Tonga, Turkey, Tuvalu, United States of America, Vanuatu, Venezuela (Bolivarian Republic of)

63/200. Cooperation between the United Nations and the Pacific Islands Forum

The General Assembly,

Recalling its resolutions 49/1 of 17 October 1994, 59/20 of 8 November 2004 and 61/48 of 4 December 2006,

Welcoming the ongoing efforts towards closer cooperation between the United Nations and the Pacific Islands Forum and its associated institutions,

Bearing in mind that the Pacific Islands Forum was established in 1971 and that leaders of the Pacific Islands Forum endorsed in 2005 the Pacific Plan, which has the goal of enhancing and stimulating economic growth, sustainable development, good governance and security for Pacific countries through regionalism,

Affirming the need to strengthen the cooperation that already exists between entities of the United Nations system and the Pacific Islands Forum in the areas of sustainable development, environmental protection, good governance and peace and security,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,[290]

1. *Takes note* of the report of the Secretary-General,[290] in particular paragraphs 90 to 97 on cooperation between the United Nations and the Pacific Islands Forum, and encourages further such cooperation;

2. *Invites* the Secretary-General of the United Nations to take the necessary measures, in consultation with the Secretary-General of the Pacific Islands Forum, to promote and expand cooperation and coordination between the two secretariats in order to increase the capacity of the organizations to attain their common objectives;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

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[288] Available from www.ilo.org/public/english/bureau/pardev/relations/multilateral/toolkit.htm.

[289] See Economic and Social Council resolution 2008/18, para. 35.

[290] A/63/228-S/2008/531 and Corr.1.

4. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the Pacific Islands Forum".

RESOLUTION 63/234

Adopted at the 73rd plenary meeting, on 22 December 2008, without a vote, on the basis of draft resolution A/63/L.62 and Add.1, sponsored by: Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Canada, Chile, Croatia, Cuba, Cyprus, Fiji, Finland, France, Germany, Guyana, Ireland, Israel, Italy, Jamaica, Luxembourg, Morocco (on behalf of the States Members of the United Nations that are members of the Group of African States), Netherlands, Nicaragua, Portugal, Slovenia, Solomon Islands, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste

63/234. 2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

The General Assembly,

Recalling that the period 2001–2010 has been proclaimed the Decade to Roll Back Malaria in Developing Countries, Particularly in Africa, by the General Assembly,[291] and that combating HIV/AIDS, malaria, tuberculosis and other diseases is included in the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[292]

Recalling also its resolution 62/180 of 19 December 2007 and all previous resolutions concerning the struggle against malaria in developing countries, particularly in Africa,

Recalling further resolution 60.18, adopted by the World Health Assembly on 23 May 2007,[293] urging a broad range of national and international actions to scale up malaria control programmes,

Bearing in mind the relevant resolutions of the Economic and Social Council relating to the struggle against malaria and diarrhoeal diseases, in particular resolution 1998/36 of 30 July 1998,

Taking note of the declarations and decisions on health issues adopted by the Organization of African Unity, in particular the declaration and plan of action on the "Roll Back Malaria" initiative adopted at the Extraordinary Summit of Heads of State and Government of the Organization of African Unity, held in Abuja on 24 and 25 April 2000,[294] as well as decision AHG/Dec.155 (XXXVI) concerning the implementation of that declaration and plan of action, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-sixth ordinary session, held in Lomé from 10 to 12 July 2000,[295]

Also taking note of the Maputo Declaration on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, adopted by the Assembly of the African Union at its second ordinary session, held in Maputo from 10 to 12 July 2003,[296] and the Abuja call for accelerated action towards universal access to HIV and AIDS, tuberculosis and malaria services in Africa, issued by the Heads of State and Government of the African Union at the special summit of the African Union on HIV and AIDS, tuberculosis and malaria, held in Abuja, from 2 to 4 May 2006,

Recognizing the linkages in efforts being made to reach the targets set at the Abuja Summit in 2000 as necessary and important for the attainment of the "Roll Back Malaria" goal and the targets of the Millennium Declaration by 2010 and 2015, respectively, and welcomes in this regard the commitment of Member States to respond to the specific needs of Africa,

Also recognizing that malaria-related ill health and deaths throughout the world can be substantially reduced with political commitment and commensurate resources if the public is educated and sensitized about malaria and appropriate health services are made available, particularly in countries where the disease is endemic,

Expressing concern about the continued morbidity, mortality and debility attributed to malaria, and recalling that more efforts are needed if the malaria targets for 2010 and the malaria and Millennium Development Goal targets for 2015 are to be reached on time,

Commending the efforts of the World Health Organization, the United Nations Children's Fund, the Roll Back Malaria Partnership, the Global Fund to Fight AIDS, Tuberculosis and Malaria, the World Bank and other partners to fight malaria over the years,

Taking note of the Roll Back Malaria Global Strategic Plan 2005–2015 and the Global Malaria Action Plan developed by the Roll Back Malaria Partnership,

1. *Welcomes* the report prepared by the World Health Organization,[297] and calls for support for the recommendations contained therein;

2. *Also welcomes* the Global Malaria Action Plan, which provides for the first time a comprehensive plan for combating malaria in the short, medium and long term, including by giving further impetus to internationally agreed

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[291] See resolution 55/284.

[292] See resolution 55/2.

[293] See World Health Organization, *Sixtieth World Health Assembly, Geneva, 14–23 May 2007, Resolutions and Decisions, Annex* (WHA60/2007/REC/1).

[294] See A/55/240/Add.1.

[295] See A/55/286, annex II.

[296] A/58/626, annex I, Assembly/AU/Decl.6 (II).

[297] See A/63/219.

targets of universal coverage of malaria interventions for all at-risk populations by 2010, of continuing the scale-up to achieve nearly zero preventable deaths from malaria by 2015 and of eliminating and, with additional research and development, ultimately eradicating the disease;

3. *Further welcomes* the theme "Malaria - a disease without borders" that was chosen for the first World Malaria Day, as well as activities undertaken by the Member States, relevant organizations of the United Nations system, international institutions, non-governmental organizations, the private sector and civil society to commemorate this day, and encourages them to continue to observe World Malaria Day and to collaborate in the observance of the final two years of the Decade to Roll Back Malaria in Developing Countries, Particularly in Africa, in order to raise public awareness of and knowledge about the prevention, control and treatment of malaria as well as the importance of meeting the Millennium Development Goals;

4. *Welcomes* the designation by the Secretary-General of a Special Envoy for Malaria to raise the issue in collaboration with other United Nations organizations already working on those issues on the international political and development agendas and to work with national and global leaders to help to secure the political will, the partnerships and the funds to drastically reduce malaria deaths by 2010 through increased access to protection and treatment, especially in Africa;

5. *Also welcomes* the adoption by the sixty-first World Health Assembly of resolution 61.21 of 24 May 2008,[298] in which it adopted the global strategy and the agreed parts of the plan of action on public health, innovation and intellectual property;

6. *Further welcomes* the increased funding for malaria interventions and for research and development of preventive and control tools from the international community, through funding from multilateral and bilateral sources and from the private sector, as well as by making predictable financing available through appropriate and effective aid modalities and in-country health financing mechanisms aligned with national priorities, which are key to strengthening health systems and promoting universal and equitable access to high-quality malaria prevention and treatment services;

7. *Welcomes* recent commitments and initiatives to promote overall malaria prevention, control and treatment, including those announced at the high-level event on the Millennium Development Goals, held in New York on 25 September 2008;

8. *Also welcomes* World Health Assembly resolution 61.18 of 24 May 2008,[298] in which the Assembly initiated annual monitoring of the achievement of the health-related Millennium Development Goals;

9. *Urges* the international community to deliver on programmes and activities at the country level in order to achieve internationally agreed targets on malaria;

10. *Calls upon* the international community to continue to support the secretariat of the Roll Back Malaria Partnership and partner organizations, including the World Health Organization, the World Bank and the United Nations Children's Fund, as vital complementary sources of support for the efforts of malaria-endemic countries to combat the disease;

11. *Appeals* to the international community to work in a spirit of cooperation towards effective, increased, harmonized and sustained bilateral and multilateral assistance to combat malaria, including support for the Global Fund to Fight AIDS, Tuberculosis and Malaria, in order to assist States, in particular malaria-endemic countries, to implement sound national plans, in particular health plans and sanitation plans, including malaria control strategies and integrated management of childhood illnesses, in a sustained and equitable way that, inter alia, contributes to health system development;

12. *Appeals* to the malaria partners to resolve the financial and delivery bottlenecks that are responsible for stock-outs of long-lasting insecticide-treated nets, artemisinin-based combination therapies and rapid diagnostic tests at the national level, whenever they occur, including through the strengthening of malaria programme management at the country level;

13. *Welcomes* the contribution to the mobilization of additional and predictable resources for development by voluntary innovative financing initiatives taken by groups of Member States, and in this regard notes the International Drug Purchase Facility, UNITAID, the International Finance Facility for Immunization, the Affordable Medicines Facility for Malaria, the Global Alliance for Vaccines and Immunization and the advance market commitment initiatives;

14. *Urges* malaria-endemic countries to work towards financial sustainability, to increase, to the extent possible, domestic resource allocation to malaria control and to create favourable conditions for working with the private sector in order to improve access to good-quality malaria services;

15. *Urges* Member States to assess and respond to the needs for integrated human resources at all levels of the health system, in order to achieve the targets of the Abuja Declaration on Roll Back Malaria in Africa[299] and the internationally agreed development goals of the United Nations Millennium Declaration,[292] to take actions, as appropriate, to effectively

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[298] See World Health Organization, *Sixty-first World Health Assembly, Geneva, 19–24 May 2008, Resolutions and Decisions, Annexes* (WHA61/2008/REC/1).

[299] A/55/240/Add.1, annex.

govern the recruitment, training and retention of skilled health personnel, and to give particular focus to the availability of skilled personnel at all levels to meet technical and operational needs as increased funding for malaria control programmes becomes available;

16. *Calls upon* the international community, inter alia, by helping to meet the financial needs of the Global Fund to Fight AIDS, Tuberculosis and Malaria and through country-led initiatives with adequate international support, to intensify access to affordable, safe and effective antimalarial combination treatments, intermittent preventive treatment in pregnancies, long-lasting insecticide-treated mosquito nets, including, where appropriate, through the free distribution of such nets and, where appropriate, to insecticides for indoor residual spraying for malaria control, taking into account relevant international rules, including the Stockholm Convention on Persistent Organic Pollutants[300] standards and guidelines;

17. *Requests* relevant international organizations, in particular the World Health Organization and the United Nations Children's Fund, to assist efforts of national Governments to provide universal access to malaria control interventions to at-risk young children and pregnant women in malaria-endemic countries, particularly in Africa, as rapidly as possible, with due regard to ensuring proper use of those interventions, including long-lasting insecticide nets, and sustainability through full community participation and implementation through the health system;

18. *Calls upon* Member States, in particular malaria-endemic countries, to establish and/or strengthen national policies and operational plans, with a view to ensuring the achievement of the targets for 2010 and 2015, in accordance with the technical recommendations of the World Health Organization, so as to ensure the achievement of targets set out in the Global Malaria Action Plan and to promote the achievement of the malaria-related Millennium Development Goals;

19. *Encourages* all African countries that have not yet done so to implement the recommendations of the Abuja Summit in 2000[294] to reduce or waive taxes and tariffs for nets and other products needed for malaria control, both to reduce the price of the products to consumers and to stimulate free trade in those products;

20. *Invites* all malaria-endemic countries, with the support of the international community, to scale up their efforts to meet the internationally agreed targets on malaria for 2010 and 2015;

21. *Calls upon* United Nations agencies and their partners to continue to provide the technical support necessary to build and enhance the planning and implementation capacity of Member States to meet the internationally agreed goals;

22. *Expresses its concern* about the increase in resistant strains of malaria in several regions of the world, and calls upon Member States, with support from the World Health Organization and other partners, to strengthen surveillance systems for drug and insecticide resistance and upon the World Health Organization to coordinate a global network for the monitoring of drug and insecticide resistance and to ensure that drug and insecticide testing is fully operational in order to enhance the use of current insecticide- and artemisinin-based combination therapies;

23. *Urges* all Member States experiencing resistance to conventional monotherapies to replace them with combination therapies, as recommended by the World Health Organization, and to develop the necessary financial, legislative and regulatory mechanisms in order to introduce artemisinin combination therapies at affordable prices and to prohibit the marketing of oral artemisinin monotherapies, in a timely manner;

24. *Recognizes* the importance of the development of safe and cost-effective vaccines and new medicines to prevent and treat malaria and the need for further and accelerated research, including into safe, effective and high-quality traditional therapies, using rigorous standards, including by providing support to the Special Programme for Research and Training in Tropical Diseases[301] and through effective global partnerships, such as the various malaria vaccine initiatives and the Medicines for Malaria Venture, where necessary stimulated by new incentives to secure their development and through effective and timely support towards pre-qualification of new antimalarials and their combinations;

25. *Calls upon* the international community, including through existing partnerships, to increase investment in and efforts towards the research and development of new, safe and affordable malaria-related medicines, products and technologies, such as vaccines, rapid diagnostic tests, insecticides and delivery modes, to prevent and treat malaria, especially for at-risk children and pregnant women, in order to enhance effectiveness and delay the onset of resistance;

26. *Calls upon* malaria-endemic countries to assure favourable conditions for research institutions, including allocation of adequate resources and development of national policies and legal frameworks, where appropriate, with a view to, inter alia, informing policy formulation and strategic interventions on malaria;

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[300] United Nations, *Treaty Series*, vol. 2256, No. 40214.

[301] A joint programme of the United Nations Children's Fund, the United Nations Development Programme, the World Bank and the World Health Organization.

27. *Reaffirms* the right to use, to the fullest extent, the provisions contained in the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement),[302] the Doha Declaration on the TRIPS Agreement and Public Health,[303] the decision of the World Trade Organization's General Council of 30 August 2003[304] and amendments to article 31 of the Agreement,[305] which provide flexibilities for the protection of public health, and in particular to promote access to medicines for all, including the production, under compulsory licensing, of generic drugs in the prevention and treatment of malaria, and resolves to assist developing countries in this regard;

28. *Calls upon* the international community to support ways to expand access to and the affordability of key products, such as vector control measures, including indoor residual spraying, long-lasting insecticide-treated nets and artemisinin-based combination therapy for populations at risk of exposure to resistant strains of falciparum malaria in malaria-endemic countries, particularly in Africa, including through additional funds and innovative mechanisms, inter alia, for the financing and scaling up of artemisinin production and procurement, as appropriate, to meet the increased need;

29. *Welcomes* the increased level of public-private partnerships for malaria control and prevention, including the financial and in-kind contributions of private sector partners and companies operating in Africa, as well as the increased engagement of non-governmental service providers;

30. *Encourages* the producers of long-lasting insecticide-treated nets to accelerate technology transfer to developing countries, and the World Bank and regional development funds to consider supporting malaria-endemic countries in establishing factories to scale up production of long-lasting insecticide-treated nets;

31. *Calls upon* the international community and malaria-endemic countries, in accordance with existing guidelines and recommendations of the World Health Organization and the requirements of the Stockholm Convention to increase capacity for the safe, effective and judicious use of indoor residual spraying and other forms of vector control;

32. *Urges* the international community to become fully knowledgeable about World Health Organization technical policies and strategies and the provisions in the Stockholm Convention related to the use of DDT, including for indoor residual spraying, long-lasting insecticide-treated nets and case management, intermittent preventive treatment for pregnant women and monitoring of in vivo resistance studies to artemisinin-based combination therapy treatment, so that projects support those policies, strategies and provisions;

33. *Requests* the World Health Organization, the United Nations Children's Fund and donor agencies to provide support to those countries which choose to use DDT for indoor residual spraying so as to ensure that it is implemented in accordance with international rules, standards and guidelines, and to provide all possible support to malaria-endemic countries to manage the intervention effectively and prevent the contamination, in particular, of agricultural products with DDT and other insecticides used for indoor residual spraying;

34. *Encourages* the World Health Organization and its member States, with the support of the parties to the Stockholm Convention, to continue to explore possible alternatives to DDT as a vector control agent;

35. *Calls upon* malaria-endemic countries to encourage regional and intersectoral collaboration, both public and private, at all levels, especially in education, health, agriculture, economic development and the environment, to advance malaria control objectives;

36. *Calls upon* the international community to support increased interventions, in line with the Global Malaria Action Plan and the recommendations of the World Health Organization and the Roll Back Malaria Partnership, in order to ensure their rapid, efficient and effective implementation, to strengthen health systems and national pharmaceutical policies, to monitor and fight against the trade in counterfeit antimalarial medicines and prevent the distribution and use of them, and to support coordinated efforts, inter alia, by providing technical assistance to improve surveillance, monitoring and evaluation systems and their alignment with national plans and systems so as to better track and report changes in coverage, the need for scaling up recommended interventions and the subsequent reductions in the burden of malaria;

37. *Urges* Member States, the international community and all relevant actors, including the private sector, to promote the coordinated implementation and enhance the quality of malaria-related activities, including via the Roll Back Malaria Partnership, in accordance with national policies and operational plans that are consistent with the technical recommendations of the World Health Organization and recent efforts and initiatives, including, where appropriate, the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action, adopted during the Third High-level Forum on Aid Effectiveness, held in Accra from 2 to 4 September 2008;[306]

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[302] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

[303] World Trade Organization, document WT/MIN(01)/DEC/2. Available from http://docsonline.wto.org.

[304] See World Trade Organization, document WT/L/540 and Corr.1. Available from http://docsonline.wto.org.

[305] See World Trade Organization, document WT/L/641. Available from http://docsonline.wto.org.

[306] A/63/539, annex.

38. *Requests* the Secretary-General, in close collaboration with the Director-General of the World Health Organization and in consultation with Member States, to submit to the General Assembly at its sixty-fourth session an evaluation report on progress achieved towards the internationally agreed targets for 2010, including funding and implementation of activities necessary to reach those targets.

RESOLUTION 63/235

Adopted at the 73rd plenary meeting, on 22 December 2008, without a vote, on the basis of draft resolution A/63/L.64 and Add.1, sponsored by: Algeria, Angola, Australia, Belarus, Cambodia, Canada, Cape Verde, Chile, China, Comoros, Egypt, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, Indonesia, Iraq, Ireland, Israel, Kenya, Lao People's Democratic Republic, Madagascar, Malaysia, Myanmar, Netherlands, Nicaragua, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Rwanda, South Africa, Sudan, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, United Republic of Tanzania, Viet Nam, Yemen

63/235. Agriculture development and food security

The General Assembly,

Recalling the Rio Declaration on Environment and Development,[307] Agenda 21,[308] the Programme for the Further Implementation of Agenda 21,[309] the Johannesburg Declaration on Sustainable Development[310] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[311] the Monterrey Consensus of the International Conference on Financing for Development,[312] the 2005 World Summit Outcome[313] and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,[314]

Reaffirming the goal set out in paragraph 19 of the United Nations Millennium Declaration,[315] to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Recalling the Rome Declaration on World Food Security and the World Food Summit Plan of Action,[316] the Declaration of the World Food Summit: five years later,[317] including the goal of achieving food security for all through an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing by half the number of undernourished people by no later than 2015, as well as the commitment to achieving the Millennium Development Goals,

Recognizing that agriculture plays a crucial role in addressing the needs of a growing global population and is inextricably linked to poverty eradication, especially in developing countries, and stressing that integrated and sustainable agriculture and rural development approaches are therefore essential to achieving enhanced food security and food safety in an environmentally sustainable way,

Emphasizing the urgent need to increase efforts at the national, regional and international level to address food security and agriculture development as part of the international development agenda,

Remaining concerned that high and volatile food prices and the global food crisis pose a serious challenge to the fight against poverty and hunger, as well as to the efforts of developing countries to attain food security and achieve the objective of reducing by half the number of undernourished people by no later than 2015 as well as other internationally agreed development goals, including the Millennium Development Goals, and reiterating that the global food crisis has multiple and complex causes and that its consequences require a comprehensive and coordinated response in the short, medium and long term by national Governments and the international community,

Welcoming the holding of the High-level Conference on World Food Security: the Challenges of Climate Change and Bioenergy, from 3 to 5 June 2008 in Rome, and acknowledging the initiative of the Secretary-General in establishing the High-level Task Force on the Global Food Security Crisis, which has produced the Comprehensive Framework for Action,[318] as well as other multilateral, regional and national initiatives,

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[307] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[308] Ibid., annex II.

[309] Resolution S-19/2, annex.

[310] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[311] Ibid., resolution 2, annex.

[312] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[313] See resolution 60/1.

[314] Resolution 63/239, annex.

[315] See resolution 55/2.

[316] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

[317] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/57/499, annex.

[318] Available from www.un.org/issues/food/taskforce/cfa.shtml.

Taking note with appreciation of the work undertaken by relevant international bodies and organizations, including the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Food Programme, on agriculture development and enhancing food security and by the Commission on Sustainable Development on the thematic cluster of issues on agriculture, rural development, land, drought, desertification and Africa,

Emphasizing that the United Nations can play an effective role in building a global consensus in addressing agriculture development and food security,

1. *Reiterates* the need to adequately and urgently address agriculture development and food security in the context of national and international development policies;

2. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Agriculture development and food security", to be taken up by the Second Committee;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on national, regional and international efforts within the context of the present resolution, under the item entitled "Agriculture development and food security", in close cooperation and coordination with United Nations relevant bodies and organizations.

RESOLUTION 63/236

Adopted at the 73rd plenary meeting, on 22 December 2008, without a vote, on the basis of draft resolution A/63/L.59 and Add.1, sponsored by: Albania, Andorra, Angola, Armenia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Comoros, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Egypt, Equatorial Guinea, Finland, France, Gabon, Georgia, Ghana, Greece, Guinea, Haiti, Honduras, Hungary, Ireland, Lao People's Democratic Republic, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Mauritius, Monaco, Morocco, Mozambique, Niger, Paraguay, Philippines, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Senegal, Serbia, Slovakia, Slovenia, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Ukraine, Uruguay, Viet Nam

63/236. Cooperation between the United Nations and the International Organization of la Francophonie

The General Assembly,

Recalling its resolutions 33/18 of 10 November 1978, 50/3 of 16 October 1995, 52/2 of 17 October 1997, 54/25 of 15 November 1999, 56/45 of 7 December 2001, 57/43 of 21 November 2002, 59/22 of 8 November 2004 and 61/7 of 20 October 2006, as well as its decision 53/453 of 18 December 1998,

Recalling also its resolution 61/266 of 16 May 2007 on multilingualism,

Considering that the International Organization of la Francophonie brings together a considerable number of States Members of the United Nations, among which it promotes multilateral cooperation in areas of interest to the United Nations,

Bearing in mind the Articles of the Charter of the United Nations which encourage the promotion of the purposes and principles of the United Nations through regional cooperation,

Bearing in mind also that, according to the Charter of la Francophonie adopted on 23 November 2005 at the Ministerial Conference of la Francophonie, held in Antananarivo, the objectives of the International Organization of la Francophonie are to assist in the establishment and development of democracy, the prevention, management and settlement of conflicts and support for the rule of law and for human rights, the intensification of dialogue between cultures and civilizations, the establishment of closer ties among peoples through mutual knowledge and strengthening of their solidarity through multilateral cooperation activities with a view to promoting the growth of their economies, and the promotion of education and training,

Welcoming the steps taken by the International Organization of la Francophonie to strengthen its ties with the organizations of the United Nations system and with international and regional organizations with a view to attaining its objectives,

Noting with satisfaction the commitment to multilateral cooperation for peace, good governance and the rule of law, economic governance and solidarity, the environment, sustainable development, and climate change, undertaken by Heads of State and Government of countries using French as a common language, at their twelfth summit, held in Quebec City, Canada, from 17 to 19 October 2008, and their determination to work together to bring about, through targeted action, added value in these areas,

Having considered the report of the Secretary-General on the implementation of resolution 61/7,[319]

Noting with satisfaction the substantial progress achieved in cooperation between the United Nations, the specialized agencies and other United Nations bodies and programmes and the International Organization of la Francophonie,

Convinced that strengthening cooperation between the United Nations and the International Organization of la Francophonie serves the purposes and principles of the United Nations,

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[319] See A/63/228-S/2008/531 and Corr.1, sect. II.J.

Noting the desire of the two organizations to consolidate, develop and strengthen the ties that exist between them in the political, economic, social and cultural fields,

1. *Takes note with satisfaction* of the report of the Secretary-General,[319] and welcomes the increasingly close and productive cooperation between the United Nations and the International Organization of la Francophonie;

2. *Notes with satisfaction* that the International Organization of la Francophonie participates actively in the work of the United Nations, to which it makes a valuable contribution;

3. *Notes with great satisfaction* the initiatives taken by the International Organization of la Francophonie in the areas of conflict prevention, the promotion of peace and support for democracy, the rule of law and human rights, in accordance with the commitments reaffirmed at the Ministerial Conference of la Francophonie on Conflict Prevention and Human Security, held on 13 and 14 May 2006 in Saint Boniface, Canada, and commends it on the genuine contribution it makes, in cooperation with the United Nations, in Haiti, the Comoros, Côte d'Ivoire, Burundi, the Democratic Republic of the Congo, the Central African Republic and Chad;

4. *Welcomes* the initiation of cooperation between the United Nations and the International Organization of la Francophonie, with the participation of other regional and subregional organizations, as well as non-governmental organizations, in the fields of early warning and conflict prevention, and encourages the pursuit of this initiative with a view to formulating practical recommendations to facilitate the establishment of relevant operational mechanisms, where necessary;

5. *Expresses its gratitude* to the International Organization of la Francophonie for the steps it has taken in recent years to promote cultural and linguistic diversity and dialogue between cultures and civilizations;

6. *Expresses its appreciation* to the Secretary-General of the United Nations and the Secretary-General of the International Organization of la Francophonie for their sustained efforts to strengthen cooperation and coordination between the two organizations, thereby serving their mutual interests in the political, economic, social and cultural fields;

7. *Welcomes* the strengthened cooperation between the International Organization of la Francophonie and the Department of Peacekeeping Operations of the Secretariat with a view to increasing the number of French-speaking personnel in United Nations peacekeeping operations;

8. *Also welcomes* the fact that the twelfth summit of la Francophonie led to concrete commitments to address the food and energy crisis, to strengthen the capacity of francophone States in the area of peacekeeping, to support efforts by international financial institutions to develop norms and codes that could be readily adopted by member States, and to mobilize all efforts and all the political will of member States to ratify the international instruments relating to the environment, and invites the United Nations to actively collaborate with the International Organization of la Francophonie and its members to meet these commitments;

9. *Further welcomes* the involvement of the countries that use French as a common language, particularly through the International Organization of la Francophonie, in the preparation for, conduct of and follow-up to international conferences organized under United Nations auspices;

10. *Welcomes* the high-level meetings held periodically between the United Nations Secretariat and the Secretariat of the International Organization of la Francophonie, and advocates the participation of the secretariats in major meetings of the two organizations;

11. *Expresses its appreciation* to the Secretary-General for including the International Organization of la Francophonie in the periodic meetings he holds with heads of regional organizations, and invites him to continue doing so, taking into account the role played by the International Organization of la Francophonie in conflict prevention and support for democracy and the rule of law;

12. *Notes with satisfaction* the continued collaboration between the United Nations and the International Organization of la Francophonie in the area of electoral monitoring and assistance, and advocates the strengthening of cooperation between the two organizations in that area;

13. *Requests* the Secretary-General of the United Nations, acting in cooperation with the Secretary-General of the International Organization of la Francophonie, to encourage the holding of periodic meetings between representatives of the United Nations Secretariat and representatives of the Secretariat of the International Organization of la Francophonie in order to promote the exchange of information, coordination of activities and identification of new areas of cooperation;

14. *Welcomes* the participation of the International Organization of la Francophonie in the Peacebuilding Commission's work on Burundi, Guinea-Bissau and the Central African Republic, and strongly encourages the International Organization of la Francophonie and the Peacebuilding Commission to continue to cooperate actively;

15. *Invites* the Secretary-General of the United Nations to take the necessary steps, in consultation with the Secretary-General of the International Organization of la Francophonie, to continue to promote cooperation between the two organizations;

16. *Invites* the specialized agencies and the funds and programmes of the United Nations system, as well as the regional commissions, including the Economic Commission for Africa, to collaborate to this end with the Secretary-General of the International Organization of la Francophonie by identifying

new synergies in favour of development, in particular in the areas of poverty elimination, energy, sustainable development education, training and the development of new information technologies;

17. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

18. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "Cooperation between the United Nations and the International Organization of la Francophonie".

RESOLUTION 63/237

Adopted at the 73rd plenary meeting, on 22 December 2008, without a vote, on the basis of draft resolution A/63/L.63 and Add.1, sponsored by: Angola, Austria, Belgium, Benin, Brazil, Cameroon, Cape Verde, Central African Republic, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Egypt, France, Gabon, Ghana, Monaco, Senegal, Slovenia, Togo, Zambia

63/237. Recognition of sickle-cell anaemia as a public health problem

The General Assembly,

Recognizing the need to promote better physical and mental health, bearing in mind the Universal Declaration of Human Rights[320] and other relevant human rights instruments,

Welcoming World Health Assembly resolution 59.20 of 27 May 2006[321] and resolution 22 of the General Conference of the United Nations Educational, Scientific and Cultural Organization of 19 October 2005,[322] and taking note of decision Assembly/AU/Dec.81 (V) adopted by the Assembly of the African Union at its fifth ordinary session, held in Sirte, Libyan Arab Jamahiriya, on 4 and 5 July 2005,[323]

Recognizing that sickle-cell anaemia is one of the world's foremost genetic diseases, that it has severe physical, psychological and social consequences for those affected and their families, and that in its homozygote form it is one of the most lethal genetic diseases,

Aware of the need for greater international cooperation, including through partnerships, to facilitate access to education, management, surveillance and treatment for sickle-cell anaemia,

Recognizing that proper management of sickle-cell anaemia will contribute to an appreciable decrease in mortality from malaria and in the risk of HIV infection,

Recalling the Abuja Declaration on Roll Back Malaria in Africa of 25 April 2000[324] and the global "Roll Back Malaria" initiative,

Taking note of the reports of the first, second and third international congresses of the Sickle Cell Disease International Organization, held in Paris on 25 and 26 January 2002, in Cotonou from 20 to 23 January 2004 and in Dakar from 22 to 24 November 2006, respectively, and the report of the first global consultations on sickle-cell anaemia, held in Brazzaville from 14 to 17 June 2005,

Recognizing that education, information and communication technologies should play a crucial role in preventing sickle-cell anaemia and that there is an urgent need to create effective research and training programmes in the countries most affected by this disease,

1. *Recognizes* that sickle-cell anaemia is a public health problem;

2. *Underlines* the need to raise public awareness about sickle-cell anaemia and to eliminate harmful prejudices associated with the disease;

3. *Urges* Member States and the organizations of the United Nations system to raise awareness of sickle-cell anaemia on 19 June each year at the national and international levels;

4. *Encourages* Member States, as well as United Nations agencies, funds and programmes, international institutions and development partners, to support health systems and primary health-care delivery, including efforts to improve the management of sickle-cell anaemia;

5. *Invites* Member States, international organizations and civil society to support the efforts being made to combat sickle-cell anaemia, including as part of health-system strengthening efforts, in the various development programmes, and to encourage basic and applied research on the disease;

6. *Urges* the Member States in which sickle-cell anaemia is a public health problem to establish national programmes and specialized centres for the treatment of sickle-cell anaemia and to facilitate access to treatment;

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[320] Resolution 217 A (III).

[321] See World Health Organization, *Fifty-ninth World Health Assembly, Geneva, 22–27 May 2006, Resolutions and Decisions, Annexes* (WHA59/2006/REC/1).

[322] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-third Session, Paris, 3–21 October 2005*, vol. 1: *Resolutions*, chap. V.

[323] See African Union, documents Assembly/AU/Dec. 73–90 (V), Assembly/AU/Decl. 1–3 (V) and Assembly/AU/Resolution 1 (V).

[324] See A/55/240/Add.1, annex.

7. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States and organizations of the United Nations system.

RESOLUTION 63/238

Adopted at the 74th plenary meeting, on 23 December 2008, without a vote, on the basis of the report of the Credentials Committee (A/63/633)

63/238. Credentials of representatives to the sixty-third session of the General Assembly

The General Assembly,

Having considered the report of the Credentials Committee[325] and the recommendation contained therein,

Approves the report of the Credentials Committee.

RESOLUTION 63/239

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the basis of draft resolution A/63/L.57, submitted by the President of the General Assembly

63/239. Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus

The General Assembly,

Taking note of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008, and the adoption by the Conference of the Doha Declaration on Financing for Development,

1. *Expresses its profound gratitude* to the State of Qatar for hosting the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus and for providing all the necessary support;

2. *Decides* to endorse the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, which is annexed to the present resolution.

Annex

Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus

Introduction

Reaffirming the goals and commitments of the Monterrey Consensus

1. We, Heads of State and Government and High Representatives, gathered in Doha, Qatar, from 29 November to 2 December 2008, almost seven years after the landmark International Conference on Financing for Development, held in Monterrey, Mexico, reiterate our resolve to take concrete action to implement the Monterrey Consensus[326] and address the challenges of financing for development in the spirit of global partnership and solidarity. We once again commit ourselves to eradicate poverty, achieve sustained economic growth and promote sustainable development as we advance to a fully inclusive and equitable global economic system.

2. We reaffirm the Monterrey Consensus in its entirety, in its integrity and holistic approach, and recognize that mobilizing financial resources for development and the effective use of all those resources are central to the global partnership for sustainable development, including in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals. We also reaffirm the importance of freedom, peace and security, respect for all human rights, including the right to development, the rule of law, gender equality and an overall commitment to just and democratic societies for development, as spelled out in the Monterrey Consensus. We reiterate that each country has primary responsibility for its own economic and social development and that the role of national policies, domestic resources and development strategies cannot be overemphasized. At the same time, domestic economies are now interwoven with the global economic system and, inter alia, the effective use of trade and investment opportunities can help countries to fight poverty. National development efforts need to be supported by an enabling international economic environment.

3. We recognize that the international context has changed in profound ways since we met in Monterrey. There has been progress in some areas, but inequality has widened. We welcome the substantial increase in public and private flows since 2002, which has contributed to higher economic growth in most developing countries and a reduction in global poverty rates. Yet we express our deep concern that the international community is

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[325] A/63/633.

[326] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

now challenged by the severe impact on development of multiple, interrelated global crises and challenges, such as increased food insecurity, volatile energy and commodity prices, climate change and a global financial crisis, as well as the lack of results so far in the multilateral trade negotiations and a loss of confidence in the international economic system. While acknowledging the response of the international community to these crises and challenges to date, such as the High-level Conference on World Food Security, held in Rome from 3 to 5 June 2008, and the recent Summit on Financial Markets and the World Economy, held in Washington, D.C., on 15 November 2008, we are determined to take immediate and decisive actions and initiatives to overcome all these obstacles and challenges through achievement of people-centred development and to devise important measures for the full, effective and timely implementation of the Monterrey Consensus.

4. We recall that gender equality is a basic human right, a fundamental value and an issue of social justice; it is essential for economic growth, poverty reduction, environmental sustainability and development effectiveness. We reiterate the need for gender mainstreaming into the formulation and implementation of development policies, including financing for development policies, and for dedicated resources. We commit ourselves to increasing our efforts to fulfil our commitments regarding gender equality and the empowerment of women.

5. The spectre of terrorism continues to haunt us and is on the rise. This has serious implications for economic development and social cohesion, apart from its horrific human misery. We resolve to act together stronger than ever to address terrorism in all its forms and manifestations.

6. We reaffirm the political declaration on "Africa's development needs: state of implementation of various commitments, challenges and the way forward", adopted at the high-level meeting of the General Assembly on 22 September 2008.[327] We further reaffirm our commitment to provide and strengthen support to the special needs of Africa and stress that eradicating poverty, particularly in Africa, is the greatest global challenge facing the world today. We underline the importance of accelerating sustainable broad-based economic growth, which is pivotal to bringing Africa into the mainstream of the global economy. We reaffirm the commitment of all States to establish a monitoring mechanism to follow up on all commitments related to the development of Africa as contained in the political declaration on "Africa's development needs". All commitments to and by Africa should be effectively implemented and given appropriate follow-up by the international community and Africa itself. We underscore the urgency of addressing the special needs of Africa based on a partnership among equals.

7. We welcome the decision to convene the Fourth United Nations Conference on the Least Developed Countries at a high level in 2011.

Mobilizing domestic financial resources for development

8. In the years following the Monterrey Conference, a number of developing countries have made significant progress in the implementation of development policies in key areas of their economic frameworks, often contributing to increased mobilization of domestic resources and higher levels of economic growth. We will continue to build upon this progress by promoting inclusive and equitable growth, eradicating poverty and pursuing sustainable development in its economic, social and environmental dimensions, and by ensuring the necessary enabling environment for mobilizing public and private resources and expanding productive investments. Greater efforts are required to support the creation and sustenance of a conducive environment through appropriate national and international actions.

9. We reaffirm that national ownership and leadership of development strategies and good governance are important for effective mobilization of domestic financial resources and fostering sustained economic growth and sustainable development. In this context, we should take into account the different characteristics and specificities of each country.

10. We recognize that a dynamic, inclusive well-functioning and socially responsible private sector is a valuable instrument for generating economic growth and reducing poverty. In order to foster private-sector development, we shall endeavour to promote an enabling environment that facilitates entrepreneurship and doing business by all, including women, the poor and the vulnerable. The international community, national Governments and regional economic groups should continue to support these efforts.

11. We will continue to pursue appropriate policy and regulatory frameworks at our respective national levels and in a manner consistent with national laws to encourage public and private initiatives, including at the local level, and to foster a dynamic and well-functioning business sector, while improving income growth and distribution, raising productivity, empowering women and protecting labour rights and the environment. We recognize that the appropriate role of Government in market-oriented economies will vary from country to country.

12. Human development remains a key priority, and human resources are the most precious and valuable asset that countries possess. The realization of full and productive employment and decent work for all[328] is essential. We will continue to invest in

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[327] See resolution 63/1.

[328] See International Labour Organization Declaration on Social Justice for a Fair Globalization; see, inter alia, Economic and Social Council resolution 2007/2.

human capital through inclusive social policies, inter alia, on health and education, in accordance with national strategies. The provision of, and access to, financial and credit services to all is also important. Such facilities have begun to show results, but increased efforts, where appropriate, supported by the international community, are needed. We stress the importance of fostering diverse local and supporting industries that create productive employment and strengthen local communities. We will strive to ensure social security systems that protect the vulnerable in particular.

13. To advance towards the goals of the Monterrey Consensus, policies that link economic and social considerations are required to reduce inequalities within and among countries and guarantee that the poor and vulnerable groups benefit from economic growth and development. Measures aimed at integrating the poor into productive activities, investing in the development of their labour skills and facilitating their entry into the labour market are necessary. In this regard, greater efforts are required for mobilizing more resources, as appropriate, to provide universal access to basic economic and social infrastructure and inclusive social services, as well as capacity-building, taking special care of women, children, older persons and persons with disabilities in order to enhance their social protection.

14. The increasing interdependence of national economies in a globalizing world and the emergence of rules-based regimes for international economic relations have meant that the space for national economic policy, that is, the scope for domestic policies, especially in the areas of trade, investment and international development, is now often framed by international disciplines, commitments and global market considerations. It is for each Government to evaluate the trade-off between the benefits of accepting international rules and commitments and the constraints posed by the loss of policy space.

15. We reiterate that macroeconomic policies should be aimed at sustaining high rates of economic growth, full employment, poverty eradication, and low and stable inflation, and seek to minimize domestic and external imbalances to ensure that the benefits of growth reach all people, especially the poor. They should also attach high priority to avoiding abrupt economic fluctuations that negatively affect income distribution and resource allocation. In this context, the scope for appropriate counter-cyclical policies to preserve economic and financial stability should be expanded. Public investment, consistent with medium- and long-term fiscal sustainability, may have a proactive role and encourage a virtuous cycle of investment.

16. We will continue to undertake fiscal reform, including tax reform, which is key to enhancing macroeconomic policies and mobilizing domestic public resources. We will also continue to improve budgetary processes and to enhance the transparency of public financial management and the quality of expenditures. We will step up efforts to enhance tax revenues through modernized tax systems, more efficient tax collection, broadening the tax base and effectively combating tax evasion. We will undertake these efforts with an overarching view to make tax systems more pro-poor. While each country is responsible for its tax system, it is important to support national efforts in these areas by strengthening technical assistance and enhancing international cooperation and participation in addressing international tax matters, including in the area of double taxation. In this regard, we acknowledge the need to further promote international cooperation in tax matters, and request the Economic and Social Council to examine the strengthening of institutional arrangements, including the United Nations Committee of Experts on International Cooperation in Tax Matters.

17. The development of a sound and broad-based financial sector is central to the mobilization of domestic financial resources and should be an important component of national development strategies. We will strive for diversified, well-regulated, inclusive financial systems that promote savings and channel them to sound growth- generating projects. We will further refine, as appropriate, the supervisory and regulatory mechanisms to enhance the transparency and accountability of the financial sector. We will aim to increase the domestic supply of long-term capital and promote the development of domestic capital markets, including through multilateral, regional, subregional and national development banks.

18. To achieve equitable development and foster a vibrant economy, it is vital to have a financial infrastructure that provides access to a variety of sustainable products and services for micro-, small- and medium-sized businesses, with particular emphasis on women, rural populations and the poor. We will make sure that the benefits of growth reach all people by empowering individuals and communities and by improving access to services in the fields of finance and credit. We recognize that microfinance, including microcredit, has proven to be effective in generating productive self-employment, which can contribute to the achievement of the internationally agreed development goals, including the Millennium Development Goals. Despite some progress, there is widespread demand for microfinance. We underline the need to appropriately support, in a coordinated manner, the efforts of developing countries, including in capacity-building for their microfinance, including microcredit institutions.

19. Gender equality and women's empowerment are essential to achieve equitable and effective development and to foster a vibrant economy. We reaffirm our commitment to eliminate gender-based discrimination in all its forms, including in the labour and financial markets, as well as, inter alia, in the ownership of assets and property rights. We will promote women's rights, including their economic empowerment, and effectively mainstream gender in law reforms, business support services and economic programmes, and give women full and equal access to economic resources. We will further promote and reinforce capacity-building of State and other stakeholders

in gender-responsive public management, including, but not limited to, gender budgeting.

20. Capital flight, where it occurs, is a major hindrance to the mobilization of domestic resources for development. We will strengthen national and multilateral efforts to address the various factors that contribute to it. It is vital to address the problem of illicit financial flows, especially money-laundering. Additional measures should be implemented to prevent the transfer abroad of stolen assets and to assist in the recovery and return of such assets, in particular to their countries of origin, consistent with the United Nations Convention against Corruption,[329] as well as to prevent capital flows that have criminal intent. We note the efforts of the United Nations Office on Drugs and Crime and the World Bank Group through the Stolen Asset Recovery Initiative and other relevant initiatives. In this regard, we urge as a matter of priority all States that have not yet done so to consider becoming parties to the International Convention for the Suppression of the Financing of Terrorism,[330] and call for increased cooperation with the same objective.

21. The ongoing fight against corruption at all levels is a priority. Progress among countries has varied since 2002. Corruption affects both developed and developing countries, and both the public and private sectors. We are thus determined to take urgent and decisive steps to continue to combat corruption in all of its manifestations in order to reduce obstacles to effective resource mobilization and allocation and avoid the diversion of resources away from activities that are vital for development. This requires strong institutions at all levels, including, in particular, effective legal and judicial systems and enhanced transparency. We welcome the increased commitment of States that have already ratified or acceded to the United Nations Convention against Corruption, and, in this regard, urge all States that have not yet done so to consider ratifying or acceding to the Convention. We call upon all States parties to fully implement the Convention without delay and to work jointly in the establishment of a mechanism for follow-up on implementation of the Convention.

22. While the pursuit of economic resilience is important for all countries, it requires constant and more concerted efforts in small and vulnerable economies. These national efforts need to be reinforced by international support for capacity-building, including through financial and technical assistance, and United Nations operational activities for development in accordance with national development strategies and priorities. In development cooperation policies, we will pay special attention to the efforts and specific needs of Africa, the least developed countries, landlocked developing countries and small island developing States. Similarly, special and sustained attention is needed to support post-conflict countries in their rebuilding and development efforts.

Mobilizing international resources for development: foreign direct investment and other private flows

23. We recognize that private international capital flows, particularly foreign direct investment, are vital complements to national and international development efforts. We appreciate the rise in private international capital flows to developing countries since the Monterrey Conference and the improvements in business climates that have helped to encourage it. However, we take note with concern that a significant number of developing countries have not experienced a rise in private international capital flows. We will seek to enhance such flows to support development. In this context, we will strengthen national, bilateral and multilateral efforts to assist developing countries in overcoming the structural or other constraints which currently limit their attractiveness as a destination for private capital and foreign direct investment. To that end, we acknowledge the need to particularly assist those countries that have been at a particular disadvantage in attracting such flows, including a number of African countries, least developed countries, landlocked developing countries, small island developing States and countries emerging from conflict or recovering from natural disasters. Such efforts could include the provision of technical, financial and other forms of assistance; the promotion and strengthening of partnerships, including public-private partnerships; and cooperation arrangements at all levels.

24. We will enhance efforts to mobilize investments from all sources in human resources, transport, energy, communications, information technology and other physical, environmental, institutional and social infrastructure that serve to strengthen the business environment, enhance competitiveness and expand trade in developing countries and economies in transition. We recognize the need for bilateral and multilateral partners to provide technical assistance and share best practices relating to these efforts. The programmes, mechanisms and instruments at the disposal of multilateral development agencies and bilateral donors can be used for encouraging business investment, including by contributing to mitigating some of the risks faced by private investors in critical sectors in developing and transition economies. Official development assistance (ODA) and other mechanisms, such as, inter alia, guarantees and public-private partnerships, can play a catalytic role in mobilizing private flows. At the same time, multilateral and regional development banks should continue to explore innovative modalities with developing countries, including low- and middle-income countries and countries with economies in transition, so as to facilitate additional private flows to such countries.

25. Experience has shown that providing an enabling domestic and international investment climate is fundamental to fostering domestic and foreign private investment. Countries

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[329] United Nations, *Treaty Series*, vol. 2349, No. 42146.

[330] Ibid., vol. 2178, No. 38349.

need to continue their efforts to achieve a stable and predictable investment climate, with proper contract enforcement and respect for property rights. We will continue to put in place transparent and appropriate regulations at the national and international levels. Efforts should be enhanced to upgrade the skills and technical capabilities of human resources, improve the availability of finance for enterprise, facilitate public-private consultative mechanisms and promote corporate social responsibility. Bilateral investment treaties may promote private flows by increasing legal stability and predictability to investors. It is important that bilateral investment treaties, as well as tax treaties and other tax measures to facilitate foreign investments, take into account regional and multilateral cooperation, including at the regional level. We acknowledge the importance of supporting capacity-building in developing countries aimed at improving their abilities to negotiate mutually beneficial investment agreements. It is important to promote good tax practices and avoid inappropriate ones.

26. To complement national efforts, there is a need for the relevant international and regional institutions, as well as appropriate institutions in source countries, to increase their support for private foreign investment in infrastructure development and other priority areas, including projects to bridge the digital divide in developing countries and countries with economies in transition. To this end, it is important to provide export credits, co-financing, venture capital and other lending instruments, risk guarantees, leveraging aid resources, information on investment opportunities, business development services, forums to facilitate business contacts and cooperation between enterprises of developed and developing countries, as well as funding for feasibility studies. Inter-enterprise partnership is a powerful means for the transfer and dissemination of technology. In this regard, strengthening the multilateral and regional financial and development institutions is desirable. Additional source country measures should also be devised to encourage and facilitate investment flows to developing countries.

27. We recognize that the development impact of foreign direct investment should be maximized. We further recognize that the transfer of technology and business skills is a key channel through which foreign direct investment can positively impact development. We will strengthen national and international efforts aimed at maximizing linkages with domestic production activities, enhancing the transfer of technology and creating training opportunities for the local labour force, including women and young people. It is also important to enact and uphold, as appropriate, labour and environmental protection and anti-corruption laws and regulations in accordance with obligations undertaken in relevant international conventions. We welcome efforts to promote corporate social responsibility and good corporate governance. In this regard, we encourage the work undertaken at the national level and by the United Nations, including through the United Nations Global Compact, and the promotion of internationally agreed corporate social responsibility frameworks, such as the International Labour Organization Tripartite Declaration. We reaffirm that every State has, and shall freely exercise full permanent sovereignty over, all its wealth, natural resources and economic activity. We support measures to enhance corporate transparency and accountability of all companies, taking into account the fundamental principles of domestic law. We take note of voluntary initiatives in this regard, including, inter alia, the Extractive Industries Transparency Initiative.

28. We realize that the perception of a country's current economic conditions and prospects influences the international private financial flows that it attracts. The provision of objective, high-quality information from all sources, including private and public entities, such as national statistical agencies, the International Monetary Fund (IMF), the World Bank, the United Nations system, investment advisers and credit-rating agencies, is vital for informed decisions by potential domestic and foreign investors alike. We will continue to strengthen modalities, including through the efforts of the country itself, the United Nations system and relevant multilateral agencies, to enhance and improve the level and objectivity of information regarding a country's economic situation and outlook.

29. Remittances have become significant private financial resources for households in countries of origin of migration. Remittances cannot be considered as a substitute for foreign direct investment, ODA, debt relief or other public sources of finance for development. They are typically wages transferred to families, mainly to meet part of the needs of the recipient households. The manner of their disposal or deployment is an individual choice. A large portion of migrants' incomes is spent in destination countries and constitutes an important stimulus to domestic demand in their economies. In this regard, we will strengthen existing measures to lower the transaction costs of remittances through increased cooperation between originating and receiving countries and create opportunities for development-oriented investments.

International trade as an engine for development

30. We reaffirm that international trade is an engine for development and sustained economic growth. We also reaffirm that a universal, rules-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can substantially stimulate development worldwide, benefiting all countries at all stages of development. We are encouraged that international trade, especially the trade of developing countries as a group, has expanded at a fast pace in the current decade. Trade among developing countries has now become one of the most dynamic elements in world trade. However, many developing countries, in particular the least developed countries, have remained at the margins of these developments and their trade capacity needs to be enhanced to enable them to exploit more effectively the potential of trade to support their development. We also reaffirm our commitment to

meaningful trade liberalization and to ensure that trade plays its full part in promoting economic growth, employment and development for all. We recall our commitment in the Monterrey Consensus to the decisions of the World Trade Organization to place the needs and interests of developing countries at the heart of its work programme and to implement its recommendations.

31. A well-functioning multilateral trading system can bring benefits to all and can contribute to enhancing the integration of the developing countries in the system, in particular the least developed countries. We reiterate our urgent resolve to ensure that the ongoing efforts to improve the operation of the multilateral trading system to better respond to the needs and interests of all developing countries, in particular the least developed countries. This is particularly important at a time when the systemic impact of the financial crisis is affecting us all. We call for the implementation of the ministerial declaration of the World Trade Organization adopted at its Sixth Ministerial Conference, held in Hong Kong, China, from 13 to 18 December 2005,[331] on the central importance of the development dimension in every aspect of the Doha Development Agenda work programme and its commitment to making the development dimension a meaningful reality. We emphasize that maximizing the benefits and minimizing the costs of international trade liberalization calls for development-oriented and coherent policies at all levels.

32. We are very concerned that, despite significant efforts, the Doha Development Agenda round of multilateral trade negotiations has not yet been concluded. A successful result should support the expansion in the exports of developing countries, reinforce the potential for trade to play its due role as the engine of growth and development, and provide increased opportunities for developing countries to use trade to support development. It is important to make progress in key areas of the Doha Development Agenda[332] of special interest to developing countries, such as those outlined in paragraph 28 of the Monterrey Consensus, reaffirming the importance of special and differential treatment referred to therein. To this end, flexibility and political will are essential. We welcome recent commitments concerning trade and the critical importance of rejecting protectionism and not turning inward in times of financial uncertainty, especially as this might particularly affect developing countries. On this basis, we will urgently re-engage and strive to reach agreement by the end of the year on modalities that lead to a successful and early conclusion to the World Trade Organization Doha Development Agenda with an ambitious, balanced and development-oriented outcome.

33. We acknowledge that the optimum pace and sequence of trade liberalization depends on the specific circumstances of each country, and that each country will make this decision based on its own evaluation of the costs and benefits. Trade liberalization must be complemented by appropriate action and strategies at the national level for the expansion of productive capacities, the development of human resources and basic infrastructure, the absorption of technology and the implementation of adequate social safety nets. Achieving the positive impact of trade liberalization on developing countries will also depend to a significant extent on international support for the above measures and actions against policies and practices that distort trade.

34. We recognize the particular challenges faced by least developed countries in integrating beneficially into the international trading system. We acknowledge that least developed countries require special measures and international support to benefit fully from world trade, as well as in adjusting to and integrating beneficially into the global economy. We welcome the decision at the Sixth World Trade Organization Ministerial Conference, held in Hong Kong, China, from 13 to 18 December 2005, on improved market access for least developed countries as set out in the decision and its annex,[333] and call for its full implementation. We also welcome the actions taken by some individual countries since Monterrey towards the goal of full duty-free and quota-free market access for all least developed countries, and call upon other developed and developing countries declaring themselves in a position to do so to take steps towards this objective. We will also reinforce efforts to provide technical assistance to least developed countries that request it in order to enable them to participate more effectively in the multilateral trading system, including through the effective operation of the Enhanced Integrated Framework for Trade-related Technical Assistance to Least Developed Countries and by providing support to allow them to participate effectively in international trade negotiations.

35. We also recognize the particular challenges that may be faced by other developing countries, including small and vulnerable economies, to fully benefit from the multilateral trading system. Appropriate consideration and support should be provided to these countries to help to facilitate their effective participation in the global economy. In this regard, we encourage progress in the implementation of the World Trade Organization work programme on small economies, mandated in the Doha Ministerial Declaration.[334]

36. Aid for Trade is an important component of the measures that will assist developing countries in taking advantage of the

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[331] World Trade Organization, document WT/MIN(05)/DEC. Available from http://docsonline.wto.org.

[332] See A/C.2/56/7, annex.

[333] World Trade Organization, document WT/MIN(05)/DEC, para. 47 and annex F. Available from http://docsonline.wto.org.

[334] See A/C.2/56/7, annex, para. 35; see also World Trade Organization, document WT/L/447. Available from http://docsonline.wto.org.

opportunities offered by the international trading system, the outcome of the Doha round and regional trade agreements. A critical aim of Aid for Trade should be to enhance trade capacity and international competitiveness while ensuring ownership and alignment with national development strategies of individual developing countries. Aid for Trade should aim to help developing countries, particularly least developed countries, with trade policy and regulations; trade development; building productive capacities; trade-related infrastructure; trade-related adjustment and other trade-related needs. However, Aid for Trade is a complement and not a substitute for a successful outcome of the Doha Development Agenda or any other trade negotiation. Successful programmes under the Aid for Trade Initiative require joint efforts by concerned partners. The commitments by individual donors relating to Aid for Trade should be fully implemented in a timely manner. It is also important that the Aid for Trade needs and priorities of recipient countries are fully integrated and reflected in their national development strategies. United Nations specialized agencies that have a relevant mandate in this field should continue to help developing countries to build their trade-related productive capacities.

37. Broader and effective participation of developing countries in the multilateral trading system, including in any round of multilateral trade negotiations and in the World Trade Organization Doha Development Agenda negotiations, are key objectives. We note progress in this area since Monterrey, as evidenced by the countries that have acceded to the World Trade Organization, the countries that have newly engaged in World Trade Organization accession and the countries that have made progress towards World Trade Organization accession over the past six years. We welcome additional progress in this regard. We also reaffirm our undertaking in Monterrey to facilitate the accession of all developing countries, particularly the least developed countries, as well as countries with economies in transition, that apply for membership in the World Trade Organization. In this regard, we note the decision of the Sixth World Trade Organization Ministerial Conference to give priority to the ongoing accessions with a view to concluding them as rapidly and smoothly as possible.[335]

38. We recognize that regional integration as well as bilateral trade and economic cooperation agreements are important instruments to expand trade and investment. We should continue to ensure that these agreements promote long-term development, advance the goals of the World Trade Organization and are complementary elements of the multilateral trading system. International support for cooperation in trade and other trade-related areas can be catalytic in strengthening and consolidating regional and subregional integration. We stress the importance of increased support to South-South trade and cooperation initiatives in trade-related areas, including through triangular cooperation, consistent with World Trade Organization rules.

39. We welcome the ongoing work of international institutions that assist developing countries in realizing the benefits of trade liberalization, in particular the United Nations, the World Trade Organization, the World Bank, IMF and the regional development banks, and encourage their continuing efforts to facilitate trade that results in economic growth and development. In this context, we welcome the outcome of the twelfth session of the United Nations Conference on Trade and Development (UNCTAD), held in Accra from 20 to 25 April 2008, and reaffirm the role of UNCTAD in trade and development.

Increasing international financial and technical cooperation for development

40. We recognize the severe impacts that the current financial and economic crises are having on the ability of developing countries to mobilize resources for development. We stress the importance that ODA plays, leveraging and sustaining financing for development in developing countries. In this regard, we recall our commitments to the internationally agreed development goals, including the Millennium Development Goals, and call for the international community to redouble its efforts to facilitate the achievement of these goals.

41. We reaffirm the essential role that ODA plays, as a complement to other sources of financing for development, in facilitating the achievement of development objectives, including the internationally agreed development goals, in particular the Millennium Development Goals. For many African countries, least developed countries, small island developing States and landlocked developing countries, ODA is still the largest source of external financing. ODA can play a catalytic role in assisting developing countries in removing constraints to sustained, inclusive and equitable growth, such as enhancing social institutional and physical infrastructure; promoting foreign direct investment, trade and technological innovation; improving health and education; fostering gender equality; preserving the environment; and eradicating poverty.

42. We are encouraged by the recovery of ODA from its declining trend before the Monterrey Conference (ODA in real terms increased by 40 per cent between 2001 and 2007), while noting that a significant part of aid flows after 2002 comprised debt relief and humanitarian assistance. However, we note with concern the overall decline in ODA in 2006 and 2007, driven in particular by the drop-off in debt relief from its peak in 2005. We are encouraged by the fact that some donor countries have met or surpassed the ODA targets referenced in the Monterrey Consensus (0.7 per cent of gross national product (GNP) for ODA to developing countries and 0.15 to 0.20 per cent of GNP for ODA to least developed countries). We are also encouraged by others that have established timetables for fulfilling their

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[335] World Trade Organization, document WT/MIN(05)/DEC, para. 59. Available from http://docsonline.wto.org.

long-standing commitments, such as the European Union, which has agreed to provide, collectively, 0.56 per cent of GNP for ODA by 2010 and 0.7 per cent by 2015 and to channel at least 50 per cent of collective aid increases to Africa, while fully respecting the individual priorities of Member States in development assistance. We welcome the more than doubling of ODA by the United States. We also welcome the declaration by the leaders of the Group of Eight in Hokkaido, Japan, that they are firmly committed to working to fulfil their commitments made at Gleneagles, including increasing, compared to 2004, with other donors, ODA to Africa by 25 billion United States dollars a year by 2010. We encourage donors to work on national timetables, by the end of 2010, to increase aid levels within their respective budget allocation processes towards achieving the established ODA targets. The full implementation of these commitments will substantially boost the resources available to push forward the international development agenda.

43. The fulfilment of all ODA commitments is crucial, including the commitments by many developed countries to achieve the target of 0.7 per cent of GNP for ODA to developing countries by 2015 and to reach the level of at least 0.5 per cent of GNP for ODA by 2010, as well as a target of 0.15 to 0.20 per cent of GNP for ODA to least developed countries. To reach their agreed timetables, donor countries should take all necessary and appropriate measures to raise the rate of aid disbursements to meet their existing commitments. We urge those developed countries that have not yet done so to make additional concrete efforts towards the target of 0.7 per cent of GNP for ODA to developing countries, including the specific target of 0.15 to 0.20 per cent of GNP for ODA to least developed countries in line with the Brussels Programme of Action for the Least Developed Countries for the Decade 2001–2010,[336] in accordance with their commitments. To build on progress achieved in ensuring that ODA is used effectively, we stress the importance of democratic governance, improved transparency and accountability, and managing for results. We strongly encourage all donors to establish, as soon as possible, rolling indicative timetables that illustrate how they aim to reach their goals, in accordance with their respective budget allocation process. We stress the importance of mobilizing greater domestic support in developed countries towards the fulfilment of their commitments, including through raising public awareness, and by providing data on aid effectiveness and demonstrating tangible results.

44. We stress the importance of addressing the development needs of low-income developing countries, including through the provision of technical, financial and other forms of assistance, the promotion and strengthening of partnerships and cooperation arrangements at all levels.

45. We recognize that middle-income countries still face significant challenges in the area of poverty eradication and that their efforts to address those challenges should be strengthened and supported by the United Nations system, the international financial institutions and all other stakeholders, in order to ensure that achievements made to date are sustained. We also acknowledge that ODA is still essential for a number of these countries and has a role to play in targeted areas, taking into account the needs and domestic resources of these countries.

46. We welcome increasing efforts to improve the quality of ODA and to increase its development impact. The Economic and Social Council Development Cooperation Forum, along with recent initiatives, such as the High-level Forums on Aid Effectiveness, which produced the 2005 Paris Declaration on Aid Effectiveness, and the 2008 Accra Agenda for Action,[337] make important contributions to the efforts of those countries which have committed to them, including through the adoption of the fundamental principles of national ownership, alignment, harmonization and managing for results. Continued building on these initiatives, including through more inclusive and broad-based participation, will contribute to enhancing national ownership and making aid delivery more effective and efficient and lead to improved outcomes. We also encourage all donors to improve the quality of aid, increase programme-based approaches, use country systems for activities managed by the public sector, reduce transaction costs and improve mutual accountability and transparency and, in this regard, we call upon all donors to untie aid to the maximum extent. We will make aid more predictable by providing developing countries with regular and timely, indicative information on planned support in the medium term. We recognize the importance of efforts by developing countries to strengthen leadership of their own development, national institutions, systems and capacity to ensure the best results of aid by engaging with parliaments and citizens in shaping those policies and deepening engagement with civil society organizations. We should also bear in mind that there is no one-size-fits-all formula that will guarantee effective assistance. The specific situation of each country needs to be fully considered.

47. We note that the aid architecture has significantly changed in the current decade. New aid providers and novel partnership approaches, which utilize new modalities of cooperation, have contributed to increasing the flow of resources. Further, the interplay of development assistance with private investment, trade and new development actors provides new opportunities for aid to leverage private resource flows. We re-emphasize the importance of the Development Cooperation Forum of the Economic and Social Council as the focal point within the United Nations system for holistic consideration of issues of international development cooperation, with participation by all relevant stakeholders. We shall pursue efforts, both

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[336] A/CONF.191/13, chap. II.

[337] A/63/539, annex.

in the United Nations and in collaboration with other relevant institutions, such as the Organization for Economic Cooperation and Development (OECD)/ Development Assistance Committee (DAC), to advance dialogue and cooperation among the increasingly diverse community of development partners. All development actors should cooperate closely to ensure that increased resources from all sources are used in a manner which ensures maximum effectiveness. We shall also pursue enhanced collaboration at the country level with the private sector, non-official donors, regional organizations and official donors.

48. There is a growing need for more systematic and universal ways to follow quantity, quality and effectiveness of aid flows, giving due regard to existing schemes and mechanisms. We invite the Secretary-General, with relevant United Nations system agencies, in close cooperation with the World Bank, the regional and subregional development banks, OECD/DAC and other relevant stakeholders, to address this issue and to provide a report for consideration by the Development Cooperation Forum.

49. We reiterate our support for South-South cooperation, as well as triangular cooperation, which provides much needed additional resources to the implementation of development programmes. We recognize the importance and different history and particularities of South-South cooperation and stress that South-South cooperation should be seen as an expression of solidarity and cooperation between countries, based on their shared experiences and objectives. Both forms of cooperation support a development agenda that addresses the particular needs and expectations of developing countries. We also recognize that South-South cooperation complements rather than substitutes for North-South cooperation. We acknowledge the role played by middle-income developing countries as providers and recipients of development cooperation. Regional cooperation could also be strengthened as an effective vehicle for mobilizing resources for development, inter alia, by strengthening regional financial institutions to better assist in upgrading critical sectors in developing countries.

50. We encourage developing countries in a position to do so to continue to make concrete efforts to increase and make more effective their South-South cooperation initiatives in accordance with the principles of aid effectiveness.

51. We recognize the considerable progress made since the Monterrey Conference in voluntary innovative sources of finance and innovative programmes linked to them. We acknowledge that a number of the initiatives of the Technical Group created by the Global Action Initiative against Hunger and Poverty and the Leading Group on Solidarity Levies to Fund Development have become a reality or are in an advanced stage towards implementation. These include, inter alia, the International Finance Facility for Immunization; the pilot advance market commitments and the airline ticket solidarity levies, which finance health programmes in several developing countries, including the International Drug Purchase Facility, UNITAID, to help to combat HIV/AIDS, tuberculosis and malaria; and instruments based on the carbon market. Other noteworthy initiatives include the United States Millennium Challenge Corporation, the President's Emergency Plan for AIDS Relief, the India-Brazil-South Africa Fund, the Egyptian Fund for Technical Cooperation with Africa, the Libya-Africa Investment Portfolio and the PetroCaribe Initiative. We encourage the scaling up and the implementation, where appropriate, of innovative sources of finance initiatives. We acknowledge that these funds should supplement and not be a substitute for traditional sources of finance, and should be disbursed in accordance with the priorities of developing countries and not unduly burden them. We call upon the international community to consider strengthening current initiatives and explore new proposals, while recognizing their voluntary and complementary nature. We request the Secretary-General of the United Nations to continue to address the issue of innovative sources of development finance, public and private, and to produce a progress report by the sixty-fourth session of the General Assembly, taking into account all existing initiatives.

52. We reiterate our resolve to operationalize the World Solidarity Fund established by the General Assembly and invite those countries in a position to do so to make voluntary contributions to the Fund. We also recall the establishment of the Digital Solidarity Fund and encourage voluntary contributions to its financing, including by considering innovative financing mechanisms.

53. We underscore the importance of capacity development and strengthening technical cooperation as important avenues for developing countries to attain their development objectives. In this regard, we reiterate the importance of human resources development, including training, exchange of expertise, knowledge transfer and technical assistance for capacity-building, which involves strengthening institutional capacity, project management and programme planning. The capacity of developing countries to absorb long-term development aid has begun to increase.

54. We underline the important role of an effective, well-managed and adequately resourced United Nations system through its operational activities in delivering capacity-building support for development with long-term sustainability. This is particularly important for least developed countries. Given that the level of core funding inevitably affects the ability of the United Nations system to fulfil this mandate, we urge donor countries and other countries in a position to do so to substantially increase voluntary contributions to the core/regular budgets of the United Nations development system, in particular its funds, programmes and specialized agencies, and to contribute on a multi-year basis, in a sustained and predictable manner. We also note that non-core resources represent an important supplement to the regular resource base of the United Nations development system to support operational activities for development, thus contributing to an

increase in total resources, while recognizing that non-core resources are not a substitute for core resources and that unearmarked contributions are vital for the coherence and harmonization of operational activities for development. We welcome the efforts to improve efficiency, coherence and effectiveness of the United Nations development system.

55. The multilateral development banks, including the World Bank, regional and subregional development banks and other international institutions that promote development, can be an important source of financing for development. They provide strategic resources, including in the form of technical assistance, for such areas as governance, institution and capacity-building and the promotion of best practices. They play an important role in enhancing the integration of developing countries in the world economy and in supporting regional integration and other cooperation efforts. They also constitute a valuable forum for exchange of information on best practices between developing countries. For some countries, the net outflow of resources from some of these institutions has become negative and, therefore, we will work with these institutions to enhance their financing to developing countries as part of the measures for further implementation of the Monterrey Consensus. These institutions should continue to explore innovative ways to use their capital to leverage additional finance to foster development while preserving their capital and ensuring their activity is sustainable.

External debt

56. The debt stock of developing countries as a group continues to increase, while key debt sustainability indicators have improved significantly since Monterrey, but care needs to be taken to avoid a recurrence of unsustainable levels of debt. Debt repayment by several developing countries, debt relief under the Heavily Indebted Poor Countries Initiative (HIPC), the Multilateral Debt Relief Initiative (MDRI) and the Evian treatment in the Paris Club, together with other debtor countries' efforts and ongoing initiatives, such as the World Bank/IMF Debt Sustainability Framework, have contributed to achieving such progress. The HIPC initiative is estimated to provide a total of $71 billion to 41 eligible countries, while MDRI is expected to provide an additional $28 billion.[338] Borrowing countries have also enhanced their debt management programmes and many have built reserves. Debt relief initiatives also helped beneficiary countries to mobilize much-needed resources for poverty reduction, as part of wider efforts to mobilize financial resources for development. We recognize that the current global financial and economic crises carry the possibility of undoing years of hard work and gains made in relation to the debt of developing countries. The situation demands the implementation of existing and any future bold and encompassing initiatives and mechanisms to resolve the current debt problems of developing countries, particularly for Africa and the least developed countries, in an effective and equitable manner, including through debt cancellation.

57. We stress the importance of continued flexibility with regard to the eligibility criteria for debt relief under HIPC and MDRI. We recall our encouragement to donor countries to take steps to ensure that resources provided for debt relief do not detract from ODA resources intended to be available for developing countries.

58. We underline that heavily indebted poor countries eligible for debt relief will not be able to enjoy its full benefits unless all creditors, including public and private, contribute their fair share and become involved in the international debt resolution mechanisms to ensure the debt sustainability of low-income countries.

59. We emphasize that middle-income developing countries are mainly responsible for the achievement and maintenance of a sustainable debt situation and for addressing their external debt situation. While welcoming the Evian approach, we emphasize the importance of sustained efforts by all towards achieving sustainable debt of middle-income countries, including by improving their sustainable debt management and through debt relief based on current debt mechanisms and debt swap mechanisms on a voluntary basis.

60. We recognize that important challenges remain. Debt service accounts for a significant portion of the fiscal budget and is still unsustainable in a number of developing countries. The existing international debt resolution mechanisms are creditor-driven, while taking into account debtor country situations. More efforts are needed through international debt resolution mechanisms to guarantee equivalent treatment of all creditors, just treatment of creditors and debtors, and legal predictability. We are deeply concerned about increasing vulture fund litigation. In this respect, we welcome recent steps taken to prevent aggressive litigation against HIPC-eligible countries, including through the enhancement of debt buy-back mechanisms and the provision of technical assistance and legal support, as appropriate, by the Bretton Woods institutions and the multilateral development banks. We call upon creditors not to sell claims on HIPC to creditors that do not participate adequately in the debt relief efforts.

61. We will intensify our efforts to prevent debt crises by enhancing international financial mechanisms for crisis prevention and resolution, in cooperation with the private sector, and by finding solutions that are transparent and agreeable to all. These mechanisms need to be underpinned by principles that have served us well in dealing effectively with many debt problems. These include the need to ensure that debt resolution is a joint responsibility of all debtors and creditors, both State and commercial; to recognize that furthering development and restoring debt sustainability are the main objectives of debt resolution; to strengthen transparency and accountability among all parties; to promote responsible borrowing and lending

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[338] Both figures in net present value terms at the end of 2007.

practices; to improve debt management and national ownership of debt management strategies; and to facilitate equivalent treatment of all creditors.

62. We recognize that a shift has occurred from official to commercial borrowing and from external to domestic public debt, although for most low-income countries external finance is still largely official. We note that the number of creditors, both official and private, has increased significantly. We stress the need to address the implications of these changes, including through improved data collection and analysis.

63. In debt renegotiations, we stress the need for full involvement of debtors as well as creditors and the importance of taking into account debtors' national policies and strategies linked to attaining the internationally agreed development goals, including the Millennium Development Goals.

64. Technical assistance to manage debt and address debt problems can be crucial for many countries, in particular the most vulnerable. We reaffirm the importance of adequate capacities of debtor countries during debt negotiations, debt renegotiations and for debt management. In this regard, we will continue to provide developing countries with the necessary assistance, including technical assistance, upon request, to enhance debt management, negotiations and renegotiation capacities, including tackling external debt litigation, in order to achieve and maintain debt sustainability. The Bretton Woods institutions and other relevant organizations should continue to play an important role in this field, as appropriate, given their respective mandates. Preserving long-term debt sustainability is a shared responsibility of lenders and borrowers. To this end, we encourage the use of the joint IMF/World Bank Debt Sustainability Framework by creditors and debtors, as appropriate. Borrowers should strive to implement sound macroeconomic policies and public resource management, which are key elements in reducing national vulnerabilities.

65. Particular attention should be paid to keeping the debt sustainability frameworks under review to enhance the effectiveness of monitoring and analysing debt sustainability and consider fundamental changes in debt scenarios, in the face of large exogenous shocks, including those caused by natural catastrophes, severe terms-of-trade shocks or conflict. We stress the need to construct debt indicators based on comprehensive, objective and reliable data. We also need to increase information-sharing, transparency and the use of objective criteria in the construction and evaluation of debt scenarios, including an assessment of domestic public and private debt in order to achieve development goals. We are convinced that enhanced market access to goods and services of export interest to debtor countries is an important factor in enhancing debt sustainability.

66. Debt sustainability frameworks should also give due weight to the development needs of debtor countries, including benefits from expenditures and investment that have long-term social and economic returns. Given the imperative of maintaining debt sustainability and the external financing requirements for meeting development goals, particularly in least developed countries and low-income countries facing increased risks of debt distress, bilateral donors and multilateral financial institutions should seek to increasingly provide grants and concessional loans as the preferred modalities of their financial support instruments to ensure debt sustainability.

67. We acknowledge the need to continue to address all relevant issues regarding external debt problems, including through the United Nations, and we will consider ways to explore enhanced approaches of sovereign debt restructuring mechanisms based on existing frameworks and principles, with broad creditors' and debtors' participation and ensuring comparable burden-sharing among creditors, with an important role for the Bretton Woods institutions.

Addressing systemic issues: enhancing the coherence and consistency of the international monetary, financial and trading systems in support of development

68. Some results have been achieved since Monterrey in addressing systemic issues, but significant additional progress is needed. This is all the more urgent given the current financial crisis. The progress expected after Monterrey with the mandated work of the multilateral financial institutions, including the role of IMF in strengthening surveillance, giving high priority to the identification and prevention of potential crises and strengthening the underpinnings of international financial stability, remains incomplete. The current financial crisis, as well as the continued weaknesses in the international financial system, further underline the need to strengthen the international financial architecture. The reform of the international financial architecture should focus on providing greater transparency and strengthening the voice and participation of developing countries and countries with economies in transition in international decision-making and norm-setting. Thus, we resolve to undertake appropriate and timely steps to improve the functioning of the international economic and financial system. It is essential to maintain the involvement of the United Nations in these undertakings. This is crucial for an integrated implementation of the Monterrey Consensus.

69. We resolve to strengthen the coordination of the United Nations system and all other multilateral financial, trade and development institutions to support economic growth, poverty eradication and sustainable development worldwide. Greater cooperation between the United Nations, the Bretton Woods institutions and the World Trade Organization is needed, based on a clear understanding and respect for their respective mandates and governance structures.

70. We encourage better coordination and enhanced coherence among relevant ministries in all countries to assist in the formulation and effective implementation of policies at all levels. We also encourage international financial and development institutions to continue to enhance policy

coherence for development, taking into account diversified needs and changing circumstances. In order to complement national development efforts, we call upon all countries whose policies have an impact on developing countries to increase their efforts to formulate policies consistent with the objectives of sustained growth, poverty eradication and sustainable development of developing countries.

71. Stable international financial markets require sound macroeconomic and financial policies. It is crucial that all countries manage their macroeconomic and financial policies in ways that contribute to global stability and sustained economic growth and sustainable development. Solid and strong financial institutions at the national and international levels are essential pillars of a well-functioning international financial system. Countries should continue to pursue sound macroeconomic policies and, as appropriate, structural reform while also strengthening their financial systems and economic institutions.

72. New and highly globalized financial instruments continue to change the nature of risks in the world economy, requiring continuing enhancement of market oversight and regulation. To strengthen the resilience of the international financial system, we will implement reforms that will strengthen the regulatory and supervisory frameworks of financial markets as needed. We will strive to improve key accounting standards to remedy weaknesses and deficiencies, including those exposed by the current financial crisis. National regulators should enhance financial information and transparency at the domestic level. We will further enhance cooperation among national regulators from all countries to strengthen international financial standards. These efforts should address timely and adequate risk disclosure standards in order to improve the foundation of decisions of investors. There is also a need for enhanced transparency by financial institutions. Enhanced disclosure practices and transparency should assist efforts to reduce illicit capital flows.

73. We reaffirm that the international financial institutions, including the Bretton Woods institutions, need to be further reformed. The reformed multilateral financial institutions should have the technical capacities, credit facilities and financial resources to deal with the management and swift resolution of financial crises in a manner that elicits and facilitates international cooperation and that is consistent with their respective mandates. The international financial institutions should continue to foster the multilateral cooperation needed to restore and safeguard international monetary and financial stability and should stand ready to quickly make available sufficient resources to help countries in overcoming crises. The International Monetary Fund, in collaboration with an expanded and representative Financial Stability Forum and other bodies, should work to better identify vulnerabilities, anticipate potential stresses and act swiftly to play a key role in crisis response. Similarly, the World Bank can also play a significant role to mitigate the difficulties countries face. The Bretton Woods institutions must continue, within their respective mandates, to help developing counries to deal with the adverse effects of exogenous shocks, such as large fluctuations in the prices of key commodities, for example, through the reformed IMF Exogenous Shocks Facility. We also recognize the need for keeping under review the allocation of special drawing rights for development purposes.

74. Regional development banks play a vital role in supporting economic development and assisting regional integration efforts. We encourage continued cooperation and coordination among the regional development banks and other international financial institutions, as appropriate. We should review the adequacy of resources required to accomplish their tasks, as necessary. Other regional cooperation frameworks, such as financial and monetary arrangements that complement the international financial system, can be instrumental in fostering development and financial stability among their members and should be in line with multilateral frameworks, as appropriate. Those arrangements can facilitate financial flows and lower transaction costs and may serve as mechanisms that assist in the prevention of financial crises and render parties to such arrangements more resilient.

75. Credit rating agencies also play a significant role in the provision of information, including assessment of corporate and sovereign risks. The information provided by credit rating agencies should be based on broadly accepted, clearly defined, objective and transparent parameters. The ongoing financial crisis has revealed weaknesses and raised concerns about accounting standards and the way credit rating agencies currently operate. We will exercise strong oversight over credit rating agencies, consistent with the agreed and strengthened international code of conduct, and take additional action to strengthen financial market transparency and enhance the convergence of global accounting standards.

76. We recognize the need to address the often expressed concern at the extent of representation of developing countries in the major standard-setting bodies. We therefore welcome the proposed expansion of the membership in the Financial Stability Forum and encourage the major standard-setting bodies to review their membership promptly while enhancing their effectiveness.

77. We underscore that the Bretton Woods institutions must be comprehensively reformed so that they can more adequately reflect changing economic weights in the world economy and be more responsive to current and future challenges. We reaffirm that the enhancement of the voice and participation of developing countries in the Bretton Woods institutions, in accordance with their respective mandates, is central to strengthening the legitimacy and effectiveness of these institutions. We recognize the governance reforms that the international financial institutions have already undertaken, including the recent agreement regarding the quota review and voice reforms at IMF and related steps in the World Bank, and encourage further reforms in that direction.

78. Welcoming the ongoing international discussions on global economic governance structures, we acknowledge the need to ensure that all countries, including low-income countries, are able to effectively participate in this process. This debate should review the international financial and monetary architecture and global economic governance structures in order to ensure a more effective and coordinated management of global issues. Such a debate should associate the United Nations, the World Bank, IMF and the World Trade Organization, should involve regional financial institutions and other relevant bodies and should take place in the context of the current initiatives aimed at improving the inclusiveness, legitimacy and effectiveness of the global economic governance structures. Greater cooperation among the United Nations, the Bretton Woods institutions and the World Trade Organization is needed, based on a clear understanding and respect for their respective mandates and governance structures.

79. The United Nations will hold a conference at the highest level on the world financial and economic crisis and its impact on development. The conference will be organized by the President of the General Assembly and the modalities will be defined by March 2009 at the latest.

Other new challenges and emerging issues

80. We commit ourselves to reinvigorating the global partnership for development in order to effectively address the full range of financing for development challenges facing the world today. We recognize that multiple financing for development challenges and opportunities have emerged since the Monterrey Conference, including the impact of the financial crisis, additional costs of climate change mitigation and adaptation and damage to the Earth's environment, price volatility in international markets of key commodities, expanding economic cooperation and the growing needs for reconstruction and development of post-conflict countries. We reaffirm our resolve to take concerted global action to address all these areas while consistently furthering economic and human development for all.

81. We are deeply concerned by the impact of the current financial crisis and global economic slowdown on the ability of developing countries to access the necessary financing for their development objectives. Developing countries and countries with economies in transition risk suffering very serious setbacks to their development objectives, in particular the achievement of the internationally agreed development goals, including the Millennium Development Goals. It is critical to adopt further decisive and prompt actions to contain the current crisis and restore sustained economic growth. Given this global context, we call the attention of all donors to the situation and needs of the poorest and most vulnerable. We also urge all donors to maintain and deliver on their ODA commitments and call upon the international community, including the World Bank and IMF, to draw on the full range of their policy advice and resources, as appropriate, to help developing countries and countries with economies in transition to strengthen their economies, maintain growth and protect the most vulnerable groups against the severe impacts of the current crisis. In this context, it is also important for developing countries to maintain sound macroeconomic policies that support sustained economic growth and poverty eradication.

82. The concern of the international community about climate change has increased markedly since the adoption of the Monterrey Consensus. We reiterate the importance of reaching an agreed outcome at the fifteenth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Copenhagen from 7 to 18 December 2009, and urge all parties to engage constructively in negotiations consistent with the Bali Action Plan.[339] Ongoing and potential responses to tackle this phenomenon have major financing for development implications and will incur substantial additional costs on all countries, thus requiring additional resource mobilization, including from the private sector, particularly for developing countries to address the challenges of climate change, in order to support appropriate national adaptation and mitigation strategies and actions. We reiterate that it is critical to address the pressing needs of developing countries, especially those that are particularly vulnerable to the adverse impacts of climate change, such as the least developed countries, small island developing States, and other affected countries in Africa. In this regard, we urge all parties to engage in the ongoing process in a manner that will ensure an agreed outcome commensurate with the scope and urgency of the climate change challenge. The States parties to the Kyoto Protocol[340] welcome the launching of the Adaptation Fund within the structure of the United Nations Framework Convention on Climate Change[341] and look forward to its early operationalization with full support.

83. We also underscore the special challenges emerging from volatility in international commodity markets, particularly the volatility of food and energy prices. We take note of recent initiatives and will continue to mobilize resources to assist developing countries, in particular the least developed countries, in attaining food and energy security. At the same time, we recognize the necessity of a substantial sustainable expansion of food production in developing countries by enhancing investments and productivity in the agricultural sector, including in small-scale farms, promoting rural development and intensifying agricultural research. It is critical to eliminate barriers to food production, to improve processing and distribution over time and to have carefully targeted safety nets in the event of food crises. We recognize that food insecurity has multiple and complex causes and that its consequences

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[339] FCCC/CP/2007/6/Add.1, decision 1/CP.13.

[340] FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

[341] United Nations, *Treaty Series*, vol. 1771, No. 30822.

require a comprehensive and coordinated response in the short, medium and long terms by national Governments and the international community. We thus encourage the development of an inclusive global partnership for agriculture and food. We acknowledge the work of the High-level Task Force on the Global Food Security Crisis established by the Secretary-General and encourage its continued engagement with States Members of the United Nations, relevant organizations, the private sector and, especially, farmers.

84. We acknowledge the recent volatility in energy markets and its impact on low- and middle-income countries. We will strengthen cooperation to develop energy systems that can assist in meeting development needs and are consistent with the efforts to stabilize the global climate, in accordance with the principle of common but differentiated responsibilities and respective capabilities. We will strengthen our efforts to substantially increase the share of renewable energies and to promote energy efficiency and conservation. We reaffirm that access to basic energy services and to clean and sustainable energy is important to eradicate extreme poverty and to achieve the internationally agreed development goals, including the Millennium Development Goals.

85. We acknowledge the recent efforts to bring to light the particular challenges faced by middle-income countries in the area of development, poverty eradication and inequality. We note the conferences held in Madrid in March 2007, in Sonsonate, El Salvador, in October 2007 and in Windhoek in August 2008 on international development cooperation with middle-income countries. We welcome the positive impact of expanding economic relations among middle-income countries, as well as recent initiatives by the international financial institutions to enhance their facilities for them.

86. Consensus has emerged since Monterrey that countries emerging from conflict are an important part of the international agenda. Many of the poorest continue to live in post-conflict States where inadequate infrastructure and low investment prevent the delivery of basic social services and limit the productive capacity of the economy. We affirm the importance of providing seamless assistance to peacebuilding efforts, including humanitarian assistance, rehabilitation and nation-building, and assistance for governance and the improvement of the social and economic infrastructure. We welcome the efforts of the international community to provide flexibility to post-conflict developing countries regarding debt relief and restructuring and stress the need to continue those efforts in order to help those countries, especially those that are heavily indebted and poor, to achieve initial reconstruction for economic and social development, particularly for the early recovery period. We will step up our efforts to assist countries in accessing financing for development in the post-conflict context. In this regard, we welcome the valuable work of the United Nations Peacebuilding Commission and the Peacebuilding Fund, as well as commitments outlined in the Accra Agenda for Action.

Staying engaged

87. We recommit ourselves to staying fully engaged, nationally, regionally and internationally, to ensuring proper and effective follow-up to the implementation of the Monterrey Consensus, taking into account the intergovernmentally agreed outcome document adopted at this Conference. We will also continue our unremitting efforts to build bridges between all relevant stakeholders within the holistic agenda of the financing for development process. We appreciate the role played by the United Nations as a focal point for the financing for development follow-up process. It will be important to maintain this role to ensure the continuity and dynamism of our process. We reaffirm the need to further intensify the engagement of all stakeholders, including the United Nations system, the World Bank, IMF and the World Trade Organization in the follow-up and implementation of the commitments made in Monterrey and reiterated here at Doha.

88. We recognize that maintaining a comprehensive and diverse multi-stakeholder follow-up process, including with civil society and the private sector, is critical. We also recognize the core responsibility of all participants in the financing for development process to exercise ownership of it and to implement their respective commitments. It is important that the follow-up process be undertaken in an integrated fashion, including through the continued engagement of all relevant ministries, in particular ministries of development, finance, trade and foreign affairs. An integrated treatment of financing for development issues in national development plans is also important in enhancing national ownership and implementation of financing for development. The international community should continue to draw upon the expertise, data and analysis available in multiple forums, while enhancing information-sharing and dialogue between the various United Nations and non-United Nations bodies that monitor progress on financing for development issues. There is substantial room to enhance the sharing of best practices.

89. We acknowledge the need for a strengthened and more effective intergovernmental inclusive process to carry out the financing for development follow-up, which would review progress in the implementation of commitments, identify obstacles, challenges and emerging issues and propose concrete recommendations and actions, taking into account various proposals that have been put forward. We request the Economic and Social Council to consider this matter during its spring meeting and at its substantive session of 2009, in consultation with all relevant stakeholders, with a view to making appropriate and timely recommendations for final action by the General Assembly as early as possible in its sixty-fourth session.

90. We will consider the need to hold a follow-up financing for development conference by 2013.

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RESOLUTION 63/36

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/382, para. 7),[1] by a recorded vote of 175 to 1, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Israel

63/36. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament

The General Assembly,

Recalling its previous resolutions on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

Recalling also its resolutions 51/37 of 10 December 1996, 54/44 of 1 December 1999, 57/50 of 22 November 2002 and 60/46 of 8 December 2005 relating to the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

Recalling further paragraph 77 of the Final Document of the Tenth Special Session of the General Assembly,[2]

Determined to prevent the emergence of new types of weapons of mass destruction that have characteristics comparable in destructive effect to those of weapons of mass destruction identified in the definition of weapons of mass destruction adopted by the United Nations in 1948,[3]

Noting the desirability of keeping the matter under review, as appropriate,

1. *Reaffirms* that effective measures should be taken to prevent the emergence of new types of weapons of mass destruction;

2. *Requests* the Conference on Disarmament, without prejudice to further overview of its agenda, to keep the matter under review, as appropriate, with a view to making, when necessary, recommendations on undertaking specific negotiations on identified types of such weapons;

3. *Calls upon* all States, immediately following any recommendations of the Conference on Disarmament, to give favourable consideration to those recommendations;

4. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this item by the General Assembly at its sixty-third session;

5. *Requests* the Conference on Disarmament to report the results of any consideration of the matter in its annual reports to the General Assembly;

6. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

RESOLUTION 63/37

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/385, para. 8),[4] by a recorded vote of 178 to 1, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize,

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Armenia, Azerbaijan, Bangladesh, Belarus, Cuba, Egypt, Indonesia, Kazakhstan, Kyrgyzstan, Nicaragua, Pakistan, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Venezuela (Bolivarian Republic of).

[2] Resolution S-10/2.

[3] The definition was adopted by the Commission for Conventional Armaments (see S/C.3/32/Rev.1).

[4] The draft resolution recommended in the report was sponsored in the Committee by: Armenia, Azerbaijan, Belarus, Brazil, Chile, China, Cuba, Democratic People's Republic of Korea, Ethiopia, Fiji, Haiti, India, Japan, Kazakhstan, Kyrgyzstan, Madagascar, Mali, Myanmar, Nicaragua, Russian Federation, Serbia, Seychelles, Sudan, Tajikistan, Turkmenistan, Uzbekistan, Viet Nam and Zimbabwe.

Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: None

63/37. Developments in the field of information and telecommunications in the context of international security

The General Assembly,

Recalling its resolutions 53/70 of 4 December 1998, 54/49 of 1 December 1999, 55/28 of 20 November 2000, 56/19 of 29 November 2001, 57/53 of 22 November 2002, 58/32 of 8 December 2003, 59/61 of 3 December 2004, 60/45 of 8 December 2005, 61/54 of 6 December 2006 and 62/17 of 5 December 2007,

Recalling also its resolutions on the role of science and technology in the context of international security, in which, inter alia, it recognized that scientific and technological developments could have both civilian and military applications and that progress in science and technology for civilian applications needed to be maintained and encouraged,

Noting that considerable progress has been achieved in developing and applying the latest information technologies and means of telecommunication,

Affirming that it sees in this process the broadest positive opportunities for the further development of civilization, the expansion of opportunities for cooperation for the common good of all States, the enhancement of the creative potential of humankind and additional improvements in the circulation of information in the global community,

Recalling, in this connection, the approaches and principles outlined at the Information Society and Development Conference, held in Midrand, South Africa, from 13 to 15 May 1996,

Bearing in mind the results of the Ministerial Conference on Terrorism, held in Paris on 30 July 1996, and the recommendations that it made,[5]

Bearing in mind also the results of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003 (first phase) and in Tunis from 16 to 18 November 2005 (second phase),[6]

Noting that the dissemination and use of information technologies and means affect the interests of the entire international community and that optimum effectiveness is enhanced by broad international cooperation,

Expressing its concern that these technologies and means can potentially be used for purposes that are inconsistent with the objectives of maintaining international stability and security and may adversely affect the integrity of the infrastructure of States to the detriment of their security in both civil and military fields,

Considering that it is necessary to prevent the use of information resources or technologies for criminal or terrorist purposes,

Noting the contribution of those Member States that have submitted their assessments on issues of information security to the Secretary-General pursuant to paragraphs 1 to 3 of resolutions 53/70, 54/49, 55/28, 56/19, 57/53, 58/32, 59/61, 60/45, 61/54 and 62/17,

Taking note of the reports of the Secretary-General containing those assessments,[7]

Welcoming the initiative taken by the Secretariat and the United Nations Institute for Disarmament Research in convening international meetings of experts in Geneva in August 1999 and April 2008 on developments in the field of information and telecommunications in the context of international security, as well as the results of those meetings,

Considering that the assessments of the Member States contained in the reports of the Secretary-General and the international meetings of experts have contributed to a better understanding of the substance of issues of international information security and related notions,

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[5] See A/51/261, annex.

[6] See A/C.2/59/3 and A/60/687.

[7] A/54/213, A/55/140 and Corr.1 and Add.1, A/56/164 and Add.1, A/57/166 and Add.1, A/58/373, A/59/116 and Add.1, A/60/95 and Add.1, A/61/161 and Add.1 and A/62/98 and Add.1.

Bearing in mind that the Secretary-General, in fulfilment of resolution 58/32, established in 2004 a group of governmental experts, which, in accordance with its mandate, considered existing and potential threats in the sphere of information security and possible cooperative measures to address them and conducted a study on relevant international concepts aimed at strengthening the security of global information and telecommunications systems,

Taking note of the report of the Secretary-General on the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security, prepared on the basis of the results of the Group's work,[8]

1. *Calls upon* Member States to promote further at multilateral levels the consideration of existing and potential threats in the field of information security, as well as possible measures to limit the threats emerging in this field, consistent with the need to preserve the free flow of information;

2. *Considers* that the purpose of such measures could be served through the examination of relevant international concepts aimed at strengthening the security of global information and telecommunications systems;

3. *Invites* all Member States to continue to inform the Secretary-General of their views and assessments on the following questions:

(*a*) General appreciation of the issues of information security;

(*b*) Efforts taken at the national level to strengthen information security and promote international cooperation in this field;

(*c*) The content of the concepts mentioned in paragraph 2 above;

(*d*) Possible measures that could be taken by the international community to strengthen information security at the global level;

4. *Requests* the Secretary-General, with the assistance of a group of governmental experts, to be established in 2009 on the basis of equitable geographical distribution, to continue to study existing and potential threats in the sphere of information security and possible cooperative measures to address them, as well as the concepts referred to in paragraph 2 above, and to submit a report on the results of this study to the General Assembly at its sixty-fifth session;

5. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Developments in the field of information and telecommunications in the context of international security".

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[8] A/60/202.

RESOLUTION 63/38

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/386, para.7)[9]

63/38. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995, 51/41 of 10 December 1996, 52/34 of 9 December 1997, 53/74 of 4 December 1998, 54/51 of 1 December 1999, 55/30 of 20 November 2000, 56/21 of 29 November 2001, 57/55 of 22 November 2002, 58/34 of 8 December 2003, 59/63 of 3 December 2004, 60/52 of 8 December 2005, 61/56 of 6 December 2006 and 62/18 of 5 December 2007 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,[10]

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

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[9] The draft resolution recommended in the report was sponsored in the Committee by Egypt.

[10] Resolution S-10/2.

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of resolution 62/18,[11]

1. *Urges* all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[12]

2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(52)/RES/15, adopted on 4 October 2008 by the General Conference of the International Atomic Energy Agency at its fifty-second regular session, concerning the application of Agency safeguards in the Middle East;[13]

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (*d*) of the Final Document of the Tenth Special Session of the General Assembly,[10] and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. *Takes note* of the report of the Secretary-General;[11]

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to the report of the Secretary-General of 10 October 1990[14] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

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[11] A/63/115 (Part I) and Add.1.

[12] United Nations, *Treaty Series*, vol. 729, No. 10485.

[13] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Fifty-second Regular Session, 29 September–4 October 2008* (GC(52)/RES/DEC(2008)).

[14] A/45/435.

RESOLUTION 63/39

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/387, para. 7),[15] by a recorded vote of 122 to 1, with 58 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland

63/39. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined to abide strictly by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures and arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,[16] the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament[17] submitted to the General Assembly at its twelfth special session,[18] the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session,[19] the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,[20]

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[15] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Benin, Brunei Darussalam, Colombia, Cuba, Ecuador, Egypt, El Salvador, Fiji, Ghana, Guinea, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Myanmar, Pakistan, Peru, Philippines, Qatar, Saudi Arabia, Sri Lanka, Syrian Arab Republic, Uzbekistan and Viet Nam.

[16] Resolution S-10/2.

[17] The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[18] *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2* (A/S-12/2), sect. III.C.

[19] Ibid., *Fifteenth Special Session, Supplement No. 2* (A/S-15/2), sect. III.F.

[20] Ibid., *Forty-seventh Session, Supplement No. 27* (A/47/27), sect. III.F.

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,[21] with a view to reaching agreement on this question,

Taking note of the proposals submitted under the item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the relevant decision of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur on 24 and 25 February 2003,[22] which was reiterated at the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana on 15 and 16 September 2006,[23] as well as the relevant recommendations of the Organization of the Islamic Conference,

Taking note further of the unilateral declarations made by all the nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against the non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Taking note of Security Council resolution 984 (1995) of 11 April 1995 and the views expressed on it,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994, 50/68 of 12 December 1995, 51/43 of 10 December 1996, 52/36 of 9 December 1997, 53/75 of 4 December 1998, 54/52 of 1 December 1999, 55/31 of 20 November 2000, 56/22 of 29 November 2001, 57/56 of 22 November 2002, 58/35 of 8 December 2003, 59/64 of 3 December 2004, 60/53 of 8 December 2005, 61/57 of 6 December 2006 and 62/19 of 5 December 2007,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties with regard to evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, be explored further in order to overcome the difficulties;

5. *Also recommends* that the Conference on Disarmament actively continue intensive negotiations with a view to reaching early agreement and concluding effective international agreements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

RESOLUTION 63/40

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/388, para. 7),[24] by a recorded vote of 177 to 1, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil,

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[21] Ibid., *Forty-eighth Session, Supplement No. 27* (A/48/27), para. 39.

[22] See A/57/759-S/2003/332, annex I.

[23] See A/61/472-S/2006/780, annex I.

[24] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Armenia, Bangladesh, Belarus, Benin, Bhutan, China, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Ghana, Guatemala, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mongolia, Myanmar, Nepal, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Togo, Sri Lanka, Syrian Arab Republic, Uganda, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of) and Zimbabwe.

Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Israel

63/40. Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

Reaffirming also the provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[25]

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,[26] in which it is stated that in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue, and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,[27] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Noting also that there were no objections in principle in the Conference on Disarmament to the re-establishment of the Ad Hoc Committee, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992,[28]

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

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[25] United Nations, *Treaty Series*, vol. 610, No. 8843.

[26] Resolution S-10/2.

[27] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), sect. III.D (para. 5 of the quoted text).

[28] CD/1125.

Recalling, in this context, its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, inter alia, it reaffirmed the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

Noting with satisfaction the constructive, structured and focused debate on the prevention of an arms race in outer space at the Conference on Disarmament in 2008,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;[25]

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space, that the regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness and that it is important to comply strictly with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the sole multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Invites* the Conference on Disarmament to complete the examination and updating of the mandate contained in its decision of 13 February 1992[28] and to establish an ad hoc committee as early as possible during its 2009 session;

7. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. *Urges* States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral and multilateral negotiations on the matter, if any, so as to facilitate its work;

9. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Prevention of an arms race in outer space".

RESOLUTION 63/41

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[29] by a recorded vote of 141 to 3, with 34 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, Gabon, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Belarus, Bosnia and Herzegovina, Bulgaria, Canada, China, Croatia, Czech Republic, Denmark,

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[29] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Austria, Benin, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Haiti, Ireland, Liechtenstein, Malaysia, Malta, Mexico, New Zealand, Nigeria, Paraguay, Peru, Sweden, Switzerland, Timor-Leste, Togo, Uruguay and Venezuela (Bolivarian Republic of).

Estonia, Georgia, Greece, Hungary, Israel, Latvia, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Montenegro, Netherlands, Palau, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia, Turkey, Ukraine

63/41. Decreasing the operational readiness of nuclear weapons systems

The General Assembly,

Recalling its resolution 62/36 of 5 December 2007,

Recalling also that the maintenance of nuclear weapons on high alert was a feature of cold war nuclear postures, and welcoming the increased confidence and transparency since the cessation of the cold war,

Concerned that, notwithstanding the end of the cold war, several thousand nuclear weapons remain on high alert, ready to be launched within minutes,

Noting the increased engagement in multilateral disarmament forums in support of further reductions to the operational status of nuclear weapons systems,

Recognizing that the maintenance of nuclear weapons systems at a high level of readiness increases the risk of the use of such weapons, including the unintentional or accidental use, which would have catastrophic consequences,

Recognizing also that reductions in deployments and the lowering of operational status contribute to the maintenance of international peace and security, as well as to the process of nuclear disarmament, through the enhancement of confidence-building and transparency measures and a diminishing role for nuclear weapons in security policies,

Welcoming bilateral initiatives, such as the proposed United States/Russian Federation Joint Centre for the Exchange of Data from Early Warning Systems and Notification of Missile Launches, which can play a central role in operational status reduction processes,

Welcoming also the steps taken by some States to reduce the operational status of their nuclear weapons systems, including de-targeting initiatives and increasing the amount of preparation time required for deployment,

1. *Calls for* further practical steps to be taken to decrease the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons are removed from high alert status;

2. *Urges* States to update the General Assembly on progress made in the implementation of the present resolution;

3. *Decides* to remain seized of the matter.

RESOLUTION 63/42

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[30] by a recorded vote of 163 to none, with 18 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Cuba, Democratic People's Republic of Korea, Egypt, India, Iran (Islamic Republic of), Israel, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Myanmar, Nepal, Pakistan, Republic of Korea, Russian Federation, Syrian Arab Republic, United States of America, Uzbekistan, Viet Nam

63/42. Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction

The General Assembly,

Recalling its resolutions 54/54 B of 1 December 1999, 55/33 V of 20 November 2000, 56/24 M of 29 November 2001, 57/74 of 22 November 2002, 58/53 of 8 December 2003, 59/84 of 3 December 2004, 60/80 of 8 December 2005, 61/84 of 6 December 2006 and 62/41 of 5 December 2007,

Reaffirming its determination to put an end to the suffering and casualties caused by anti-personnel mines, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians, including children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons and have other severe consequences for years after emplacement,

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[30] The draft resolution recommended in the report was sponsored in the Committee by: Australia, Jordan and Switzerland.

Believing it necessary to do the utmost to contribute in an efficient and coordinated manner to facing the challenge of removing anti-personnel mines placed throughout the world and to assure their destruction,

Wishing to do the utmost in ensuring assistance for the care and rehabilitation, including the social and economic reintegration, of mine victims,

Welcoming the entry into force, on 1 March 1999, of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[31] and noting with satisfaction the work undertaken to implement the Convention and the substantial progress made towards addressing the global anti-personnel landmine problem,

Recalling the first to eighth meetings of the States parties to the Convention, held in Maputo (1999),[32] Geneva (2000),[33] Managua (2001),[34] Geneva (2002),[35] Bangkok (2003),[36] Zagreb (2005),[37] Geneva (2006),[38] and the Dead Sea (2007)[39] and the First Review Conference of the States Parties to the Convention, held in Nairobi (2004),[40]

Recalling also that at the eighth meeting of the States parties to the Convention, held at the Dead Sea from 18 to 22 November 2007,[39] the international community monitored progress on implementation of the Convention and supported continued application of the Nairobi Action Plan 2005–2009,[41] and established priorities to achieve further progress towards ending, for all people and for all time, the suffering caused by anti-personnel mines,

Noting with satisfaction that additional States have ratified or acceded to the Convention, bringing the total number of States that have formally accepted the obligations of the Convention to one hundred and fifty-six,

Emphasizing the desirability of attracting the adherence of all States to the Convention, and determined to work strenuously towards the promotion of its universalization,

Noting with regret that anti-personnel mines continue to be used in conflicts around the world, causing human suffering and impeding post-conflict development,

1. *Invites* all States that have not signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction[31] to accede to it without delay;

2. *Urges* all States that have signed but have not ratified the Convention to ratify it without delay;

3. *Stresses* the importance of the full and effective implementation of and compliance with the Convention, including through the continued implementation of the Nairobi Action Plan 2005–2009;[41]

4. *Urges* all States parties to provide the Secretary-General with complete and timely information as required under article 7 of the Convention in order to promote transparency and compliance with the Convention;

5. *Invites* all States that have not ratified the Convention or acceded to it to provide, on a voluntary basis, information to make global mine action efforts more effective;

6. *Renews its call upon* all States and other relevant parties to work together to promote, support and advance the care, rehabilitation and social and economic reintegration of mine victims, mine risk education programmes and the removal and destruction of anti-personnel mines placed or stockpiled throughout the world;

7. *Urges* all States to remain seized of the issue at the highest political level and, where in a position to do so, to promote adherence to the Convention through bilateral, subregional, regional and multilateral contacts, outreach, seminars and other means;

8. *Reiterates its invitation and encouragement* to all interested States, the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to participate in the ninth meeting of the States parties to the Convention, to be held in Geneva from 24 to 28 November 2008 and in the intersessional work programme established at the first meeting of the States parties and further developed at subsequent meetings of the States parties;

9. *Requests* the Secretary-General, in accordance with article 12, paragraph 1, of the Convention, to undertake the preparations necessary to convene the next Review Conference of the States parties to the Convention and, pending a decision to be taken at the ninth meeting of the States parties, and on behalf of the States parties and in accordance with article 11, paragraph 4, of the Convention, to invite States not parties to the Convention,

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[31] United Nations, *Treaty Series*, vol. 2056, No. 35597.

[32] See APLC/MSP.1/1999/1.

[33] See APLC/MSP.2/2000/1.

[34] See APLC/MSP.3/2001/1.

[35] See APLC/MSP.4/2002/1.

[36] See APLC/MSP.5/2003/5.

[37] See APLC/MSP.6/2005/5.

[38] See APLC/MSP.7/2006/5.

[39] See APLC/MSP.8/2007/6.

[40] See APLC/CONF/2004/5 and Corr.1.

[41] Ibid., part III.

as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to attend the Review Conference as observers;

10. *Decides* to remain seized of the matter.

RESOLUTION 63/43

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[42]

63/43. Regional disarmament

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994, 50/70 K of 12 December 1995, 51/45 K of 10 December 1996, 52/38 P of 9 December 1997, 53/77 O of 4 December 1998, 54/54 N of 1 December 1999, 55/33 O of 20 November 2000, 56/24 H of 29 November 2001, 57/76 of 22 November 2002, 58/38 of 8 December 2003, 59/89 of 3 December 2004, 60/63 of 8 December 2005, 61/80 of 6 December 2006 and 62/38 of 5 December 2007 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,[43]

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,[44]

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note of the recent proposals for disarmament at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at the regional and subregional levels to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Regional disarmament".

RESOLUTION 63/44

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[45] by a recorded vote of 175 to 1, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of

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[42] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Ecuador, Egypt, Fiji, Indonesia, Jordan, Kuwait, Malaysia, Nepal, Pakistan, Peru, Saudi Arabia, Sri Lanka, Sudan and Turkey.

[43] See resolution S-10/2.

[44] *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42* (A/48/42), annex II.

[45] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Belarus, Dominican Republic, Egypt, Fiji, Italy, Malaysia, Nepal, Pakistan, Peru, Spain, Syrian Arab Republic and Ukraine.

Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe

Against: India

Abstaining: Bhutan, Russian Federation

63/44. Conventional arms control at the regional and subregional levels

The General Assembly,

Recalling its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994, 50/70 L of 12 December 1995, 51/45 Q of 10 December 1996, 52/38 Q of 9 December 1997, 53/77 P of 4 December 1998, 54/54 M of 1 December 1999, 55/33 P of 20 November 2000, 56/24 I of 29 November 2001, 57/77 of 22 November 2002, 58/39 of 8 December 2003, 59/88 of 3 December 2004, 60/75 of 8 December 2005, 61/82 of 6 December 2006 and 62/44 of 5 December 2007,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Noting with particular interest the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe,[46] which is a cornerstone of European security,

Believing that militarily significant States and States with larger military capabilities have a special responsibility in promoting such agreements for regional security,

Believing also that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Requests* the Secretary-General, in the meantime, to seek the views of Member States on the subject and to submit a report to the General Assembly at its sixty-fourth session;

4. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Conventional arms control at the regional and subregional levels".

RESOLUTION 63/45

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[47]

63/45. Confidence-building measures in the regional and subregional context

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolutions 58/43 of 8 December 2003, 59/87 of 3 December 2004, 60/64 of 8 December 2005, 61/81 of 6 December 2006 and 62/45 of 5 December 2007,

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[46] CD/1064.

[47] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Fiji, Kazakhstan, Kuwait, Malaysia, Marshall Islands, Pakistan, Syrian Arab Republic and Ukraine.

Recalling also its resolution 57/337 of 3 July 2003 entitled "Prevention of armed conflict", in which it calls upon Member States to settle their disputes by peaceful means, as set out in Chapter VI of the Charter, inter alia, by any procedures adopted by the parties,

Recalling further the resolutions and guidelines adopted by consensus by the General Assembly and the Disarmament Commission relating to confidence-building measures and their implantation at the global, regional and subregional levels,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the agreement of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability,

Convinced that resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Recognizing the need for meaningful dialogue among States concerned to avert conflict,

Welcoming the peace processes already initiated by States concerned to resolve their disputes through peaceful means bilaterally or through mediation, inter alia, by third parties, regional organizations or the United Nations,

Recognizing that States in some regions have already taken steps towards confidence-building measures at the bilateral, subregional and regional levels in the political and military fields, including arms control and disarmament, and noting that such confidence-building measures have improved peace and security in those regions and contributed to progress in the socio-economic conditions of their people,

Concerned that the continuation of disputes among States, particularly in the absence of an effective mechanism to resolve them through peaceful means, may contribute to the arms race and endanger the maintenance of international peace and security and the efforts of the international community to promote arms control and disarmament,

1. *Calls upon* Member States to refrain from the use or threat of use of force in accordance with the purposes and principles of the Charter of the United Nations;

2. *Reaffirms its commitment* to the peaceful settlement of disputes under Chapter VI of the Charter, in particular Article 33, which provides for a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means chosen by the parties;

3. *Reaffirms* the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session;[48]

4. *Calls upon* Member States to pursue these ways and means through sustained consultations and dialogue, while at the same time avoiding actions that may hinder or impair such a dialogue;

5. *Urges* States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they are party;

6. *Emphasizes* that the objective of confidence-building measures should be to help to strengthen international peace and security and to be consistent with the principle of undiminished security at the lowest level of armaments;

7. *Encourages* the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities;

8. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session containing the views of Member States on confidence-building measures in the regional and subregional context;

9. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Confidence-building measures in the regional and subregional context".

RESOLUTION 63/46

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[49] by a recorded vote of 117 to 45, with 19 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho,

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[48] *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42* (A/48/42), annex II, sect. III.A.

[49] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, Central African Republic, Congo, Cuba, Dominican Republic, Fiji, Guinea, Haiti, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mongolia, Myanmar, Namibia, Nepal, Philippines, Samoa, Saudi Arabia, Singapore, Sri Lanka, Sudan, Suriname, Thailand, Togo, Uganda, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Armenia, Austria, Azerbaijan, Belarus, India, Ireland, Japan, Kazakhstan, Kyrgyzstan, Malta, Marshall Islands, Mauritius, Pakistan, Republic of Korea, Russian Federation, Serbia, Sweden, Tajikistan, Uzbekistan

63/46. Nuclear disarmament

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolutions 50/70 P of 12 December 1995, 51/45 O of 10 December 1996, 52/38 L of 9 December 1997, 53/77 X of 4 December 1998, 54/54 P of 1 December 1999, 55/33 T of 20 November 2000, 56/24 R of 29 November 2001, 57/79 of 22 November 2002, 58/56 of 8 December 2003, 59/77 of 3 December 2004, 60/70 of 8 December 2005, 61/78 of 6 December 2006 and 62/42 of 5 December 2007 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the establishment of a nuclear-weapon-free world,

Bearing in mind that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972[50] and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993[51] have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the development, testing, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

Recognizing that there now exist conditions for the establishment of a world free of nuclear weapons, and stressing the need to take concrete practical steps towards achieving this goal,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly,[52] the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reaffirming the conviction of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[53] that the Treaty is a cornerstone of nuclear non-proliferation and nuclear disarmament and the importance of the decision on strengthening the review process for the Treaty, the decision on principles and objectives for nuclear non-proliferation and disarmament, the decision on the extension of the Treaty and the resolution on the Middle East, adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[54]

Stressing the importance of the thirteen steps for the systematic and progressive efforts to achieve the objective of nuclear disarmament leading to the total elimination of nuclear weapons, as agreed to by the States parties in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[55]

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Reiterating its call for an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty,[56]

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[50] United Nations, *Treaty Series*, vol. 1015, No. 14860.

[51] Ibid., vol. 1974, No. 33757.

[52] Resolution S-10/2.

[53] United Nations, *Treaty Series*, vol. 729, No. 10485.

[54] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

[55] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

[56] See resolution 50/245.

Noting with appreciation the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I),[57] to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are States parties,

Recalling the entry into force of the Treaty on Strategic Offensive Reductions ("the Moscow Treaty") between the United States of America and the Russian Federation[58] as a significant step towards reducing their deployed strategic nuclear weapons, while calling for further irreversible deep cuts in their nuclear arsenals,

Noting with appreciation the unilateral measures taken by the nuclear-weapon States for nuclear arms limitation, and encouraging them to take further such measures, while reiterating deep concern over the slow pace of progress towards nuclear disarmament and the lack of progress by the nuclear-weapon States towards accomplishing the total elimination of their nuclear arsenals,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[59] and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Mindful of paragraph 98 of the Final Document of the Fifteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Tehran on 29 and 30 July 2008,[60]

Recalling paragraph 70 and other relevant recommendations in the Final Document of the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana on 15 and 16 September 2006,[61] calling upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament and to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified time framework,

Reaffirming the specific mandate conferred upon the Disarmament Commission by the General Assembly, in its decision 52/492 of 8 September 1998, to discuss the subject of nuclear disarmament as one of its main substantive agenda items,

Recalling the United Nations Millennium Declaration,[62] in which Heads of State and Government resolved to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

Reaffirming that, in accordance with the Charter of the United Nations, States should refrain from the use or threat of use of nuclear weapons in settling their disputes in international relations,

Seized of the danger of the use of weapons of mass destruction, particularly nuclear weapons, in terrorist acts and the urgent need for concerted international efforts to control and overcome it,

1. *Recognizes* that the time is now opportune for all the nuclear-weapon States to take effective disarmament measures to achieve the total elimination of these weapons at the earliest possible time;

2. *Reaffirms* that nuclear disarmament and nuclear non-proliferation are substantively interrelated and mutually reinforcing, that the two processes must go hand in hand and that there is a genuine need for a systematic and progressive process of nuclear disarmament;

3. *Welcomes and encourages* the efforts to establish new nuclear-weapon-free zones in different parts of the world on the basis of agreements or arrangements freely arrived at among the States of the regions concerned, which is an effective measure for limiting the further spread of nuclear weapons geographically and contributes to the cause of nuclear disarmament;

4. *Recognizes* that there is a genuine need to diminish the role of nuclear weapons in strategic doctrines and security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

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[57] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

[58] See CD/1674.

[59] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[60] A/62/929, annex I.

[61] A/61/472-S/2006/780, annex I.

[62] See resolution 55/2.

5. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

6. *Also urges* the nuclear-weapon States, as an interim measure, to de-alert and deactivate immediately their nuclear weapons and to take other concrete measures to reduce further the operational status of their nuclear-weapon systems, while stressing that reductions in deployments and in operational status cannot substitute for irreversible cuts in, and the total elimination of, nuclear weapons;

7. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and to carry out effective nuclear disarmament measures with a view to achieving the total elimination of these weapons with a specified framework of time;

8. *Calls upon* the nuclear-weapon States, pending the achievement of the total elimination of nuclear weapons, to agree on an internationally and legally binding instrument on a joint undertaking not to be the first to use nuclear weapons, and calls upon all States to conclude an internationally and legally binding instrument on security assurances of non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States;

9. *Urges* the nuclear-weapon States to commence plurilateral negotiations among themselves at an appropriate stage on further deep reductions of nuclear weapons as an effective measure of nuclear disarmament;

10. *Underlines* the importance of applying the principles of transparency, irreversibility and verifiability to the process of nuclear disarmament, and nuclear and other related arms control and reduction measures;

11. *Underscores* the importance of the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty,[63] and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons;[64]

12. *Calls for* the full and effective implementation of the thirteen practical steps for nuclear disarmament contained in the Final Document of the 2000 Review Conference;[55]

13. *Urges* the nuclear-weapon States to carry out further reductions of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

14. *Calls for* the immediate commencement of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of the report of the Special Coordinator[65] and the mandate contained therein;

15. *Urges* the Conference on Disarmament to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years;

16. *Calls for* the conclusion of an international legal instrument or instruments on adequate security assurances to non-nuclear-weapon States;

17. *Also calls for* the early entry into force and strict observance of the Comprehensive Nuclear-Test-Ban Treaty;[56]

18. *Expresses its regret* that the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was unable to achieve any substantive result and that the 2005 World Summit Outcome adopted by the General Assembly[66] failed to make any reference to nuclear disarmament and nuclear non-proliferation;

19. *Also expresses its regret* that the Conference on Disarmament was unable to establish an ad hoc committee to deal with nuclear disarmament early in 2008, as called for by the General Assembly in its resolution 62/42;

20. *Reiterates its call upon* the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament early in 2009 and to commence negotiations on a phased programme of nuclear disarmament leading to the total elimination of nuclear weapons with a specified framework of time;

21. *Calls for* the convening of an international conference on nuclear disarmament in all its aspects at an early date to identify and deal with concrete measures of nuclear disarmament;

22. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution;

23. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Nuclear disarmament".

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[63] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

[64] Ibid., section entitled "Article VII and the security of non-nuclear-weapon States", para. 2.

[65] CD/1299.

[66] See resolution 60/1.

RESOLUTION 63/47

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[67] by a recorded vote of 118 to 50, with 14 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, China, Japan, Kazakhstan, Kyrgyzstan, Marshall Islands, Republic of Korea, Russian Federation, Serbia, Tajikistan, Uzbekistan

63/47. Reducing nuclear danger

The General Assembly,

Bearing in mind that the use of nuclear weapons poses the most serious threat to mankind and to the survival of civilization,

Reaffirming that any use or threat of use of nuclear weapons would constitute a violation of the Charter of the United Nations,

Convinced that the proliferation of nuclear weapons in all its aspects would seriously enhance the danger of nuclear war,

Convinced also that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Considering that, until nuclear weapons cease to exist, it is imperative on the part of the nuclear-weapon States to adopt measures that assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Considering also that the hair-trigger alert of nuclear weapons carries unacceptable risks of unintentional or accidental use of nuclear weapons, which would have catastrophic consequences for all mankind,

Emphasizing the need to adopt measures to avoid accidental, unauthorized or unexplained incidents arising from computer anomaly or other technical malfunctions,

Conscious that limited steps relating to de-alerting and de-targeting have been taken by the nuclear-weapon States and that further practical, realistic and mutually reinforcing steps are necessary to contribute to the improvement in the international climate for negotiations leading to the elimination of nuclear weapons,

Mindful that a diminishing role for nuclear weapons in the security policies of nuclear-weapon States would positively impact on international peace and security and improve the conditions for the further reduction and the elimination of nuclear weapons,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly[68] and by the international community,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*[69] that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Recalling also the call in the United Nations Millennium Declaration[70] to seek to eliminate the dangers posed by weapons of mass destruction and the resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

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[67] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Bangladesh, Bhutan, Botswana, Cambodia, Chile, Colombia, Cuba, Democratic Republic of the Congo, El Salvador, Fiji, Haiti, India, Jamaica, Jordan, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Myanmar, Nicaragua, Samoa, Sudan, Viet Nam and Zambia.

[68] Resolution S-10/2.

[69] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[70] See resolution 55/2.

1. *Calls for* a review of nuclear doctrines and, in this context, immediate and urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons, including through the de-alerting and de-targeting of nuclear weapons;

2. *Requests* the five nuclear-weapon States to take measures towards the implementation of paragraph 1 above;

3. *Calls upon* Member States to take the necessary measures to prevent the proliferation of nuclear weapons in all its aspects and to promote nuclear disarmament, with the objective of eliminating nuclear weapons;

4. *Takes note* of the report of the Secretary-General submitted pursuant to paragraph 5 of General Assembly resolution 62/32 of 5 December 2007;[71]

5. *Requests* the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war,[72] and also to continue to encourage Member States to consider the convening of an international conference, as proposed in the United Nations Millennium Declaration,[70] to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its sixty-fourth session;

6. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Reducing nuclear danger".

RESOLUTION 63/48

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[73]

63/48. Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions on the subject of chemical weapons, in particular resolution 62/23 of 5 December 2007, adopted without a vote, in which it noted with appreciation the ongoing work to achieve the objective and purpose of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[74]

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

Noting with satisfaction that, since the adoption of resolution 62/23, two additional States have acceded to the Convention, bringing the total number of States parties to the Convention to one hundred and eighty-four,

Reaffirming the importance of the outcome of the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter "the Second Review Conference"), including the consensus final report,[75] which addressed all aspects of the Convention and made important recommendations on its continued implementation,

Emphasizing that the Second Review Conference welcomed the fact that, eleven years after its entry into force, the Convention remains a unique multilateral agreement banning an entire category of weapons of mass destruction in a non-discriminatory and verifiable manner under strict and effective international control,

1. *Emphasizes* that the universality of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[74] is fundamental to the achievement of its objective and purpose, acknowledges progress made in the implementation of the action plan for the universality of the Convention, and calls upon all States that have not yet done so to become parties to the Convention without delay;

2. *Underlines* that implementation of the Convention makes a major contribution to international peace and security through the elimination of existing stockpiles of chemical weapons, the prohibition of the acquisition or use of chemical weapons, and provides for assistance and protection in the event of use, or threat of use, of chemical weapons and for international cooperation for peaceful purposes in the field of chemical activities;

3. *Stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes progress to that end;

4. *Reaffirms* the obligation of the States parties to the Convention to destroy chemical weapons and to destroy or convert chemical weapons production facilities within the time limits provided for by the Convention;

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[71] A/63/135.

[72] See A/56/400, para. 3.

[73] The draft resolution recommended in the report was sponsored in the Committee by Poland.

[74] United Nations, *Treaty Series*, vol. 1974, No. 33757.

[75] See Organization for the Prohibition of Chemical Weapons, document RC-2/4.

5. *Stresses* that the full and effective implementation of all provisions of the Convention, including those on national implementation (article VII) and assistance and protection (article X), constitutes an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations;

6. *Notes* that the effective application of the verification system builds confidence in compliance with the Convention by States parties;

7. *Stresses* the importance of the Organization for the Prohibition of Chemical Weapons in verifying compliance with the provisions of the Convention as well as in promoting the timely and efficient accomplishment of all its objectives;

8. *Urges* all States parties to the Convention to meet in full and on time their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

9. *Welcomes* progress made in the national implementation of article VII obligations, commends the States parties and the Technical Secretariat for assisting other States parties, on request, with the implementation of the follow-up to the plan of action regarding article VII obligations, and urges States parties that have not fulfilled their obligations under article VII to do so without further delay, in accordance with their constitutional processes;

10. *Emphasizes* the continuing relevance and importance of the provisions of article X of the Convention, and welcomes the activities of the Organization for the Prohibition of Chemical Weapons in relation to assistance and protection against chemical weapons;

11. *Reaffirms* that the provisions of the Convention shall be implemented in a manner that avoids hampering the economic or technological development of States parties and international cooperation in the field of chemical activities for purposes not prohibited under the Convention, including the international exchange of scientific and technical information, and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under the Convention;

12. *Emphasizes* the importance of article XI provisions relating to the economic and technological development of States parties, recalls that the full, effective and non-discriminatory implementation of those provisions contributes to universality, and also reaffirms the undertaking of the States parties to foster international cooperation for peaceful purposes in the field of chemical activities of the States parties and the importance of that cooperation and its contribution to the promotion of the Convention as a whole;

13. *Notes with appreciation* the ongoing work of the Organization for the Prohibition of Chemical Weapons to achieve the objective and purpose of the Convention, to ensure the full implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States parties, and also notes with appreciation the substantial contribution of the Technical Secretariat and the Director-General to the continued development and success of the Organization;

14. *Welcomes* the cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons within the framework of the Relationship Agreement between the United Nations and the Organization, in accordance with the provisions of the Convention;

15. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

RESOLUTION 63/49

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[76] by a recorded vote of 127 to 30, with 23 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United

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[76] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bangladesh, Belize, Benin, Bolivia, Brunei Darussalam, Cambodia, Central African Republic, Chile, Colombia, Congo, Costa Rica, Cuba, Dominican Republic, Ecuador, Egypt, Fiji, Gabon, Ghana, Guatemala, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Myanmar, Nepal, Nicaragua, Pakistan, Peru, Philippines, Qatar, Samoa, Senegal, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe.

Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, France, Georgia, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Palau, Poland, Portugal, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Andorra, Armenia, Australia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Finland, Japan, Kazakhstan, Kyrgyzstan, Liechtenstein, Marshall Islands, Micronesia (Federated States of), Montenegro, Republic of Korea, Republic of Moldova, Romania, Tajikistan, Ukraine, Uzbekistan

63/49. Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*

The General Assembly,

Recalling its resolutions 49/75 K of 15 December 1994, 51/45 M of 10 December 1996, 52/38 O of 9 December 1997, 53/77 W of 4 December 1998, 54/54 Q of 1 December 1999, 55/33 X of 20 November 2000, 56/24 S of 29 November 2001, 57/85 of 22 November 2002, 58/46 of 8 December 2003, 59/83 of 3 December 2004, 60/76 of 8 December 2005, 61/83 of 6 December 2006 and 62/39 of 5 December 2007,

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[77] particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Recalling the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[78]

Emphasizing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, adopted at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[79]

Recalling the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996, and expressing its satisfaction at the increasing number of States that have signed and ratified the Treaty,

Recognizing with satisfaction that the Antarctic Treaty[80] and the treaties of Tlatelolco,[81] Rarotonga,[82] Bangkok,[83] Pelindaba[84] and Semipalatinsk,[85] as well as Mongolia's nuclear-weapon-free status, are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

Stressing the importance of strengthening all existing nuclear-related disarmament and arms control and reduction measures,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

Reaffirming the central role of the Conference on Disarmament as the sole multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference during its 2008 session,

Emphasizing the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Expressing its regret over the failure of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to reach agreement on any substantive issues,

Expressing its deep concern at the lack of progress in the implementation of the thirteen steps to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons agreed to at the 2000 Review Conference of the Parties to the Treaty,[86]

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[77] United Nations, *Treaty Series*, vol. 729, No. 10485.

[78] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.

[79] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

[80] United Nations, *Treaty Series*, vol. 402, No. 5778.

[81] Ibid., vol. 634, No. 9068.

[82] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[83] United Nations, *Treaty Series*, vol. 1981, No. 33873.

[84] A/50/426, annex.

[85] Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

[86] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[87]

Taking note of the relevant portions of the report of the Secretary-General relating to the implementation of resolution 62/39,[88]

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. *Calls once again upon* all States immediately to fulfil that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its sixty-fourth session;

4. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

RESOLUTION 63/50

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[89] by a recorded vote of 126 to 5, with 50 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Micronesia (Federated States of), Palau, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine

63/50. Promotion of multilateralism in the area of disarmament and non-proliferation

The General Assembly,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolution 56/24 T of 29 November 2001 on multilateral cooperation in the area of disarmament and non-proliferation and global efforts against terrorism and other relevant resolutions, as well as its resolutions 57/63 of 22 November 2002, 58/44 of 8 December 2003, 59/69 of 3 December 2004, 60/59 of 8 December 2005, 61/62 of 6 December 2006 and 62/27 of 5 December 2007 on the promotion of multilateralism in the area of disarmament and non-proliferation,

Recalling also the purpose of the United Nations to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace, as enshrined in the Charter,

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[87] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[88] A/63/135.

[89] The draft resolution recommended in the report was sponsored in the Committee by: Fiji, Indonesia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and Uruguay.

Recalling further the United Nations Millennium Declaration,[90] which states, inter alia, that the responsibility for managing worldwide economic and social development, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally and that, as the most universal and most representative organization in the world, the United Nations must play the central role,

Convinced that, in the globalization era and with the information revolution, arms regulation, non-proliferation and disarmament problems are more than ever the concern of all countries in the world, which are affected in one way or another by these problems and, therefore, should have the possibility to participate in the negotiations that arise to tackle them,

Bearing in mind the existence of a broad structure of disarmament and arms regulation agreements resulting from non-discriminatory and transparent multilateral negotiations with the participation of a large number of countries, regardless of their size and power,

Aware of the need to advance further in the field of arms regulation, non-proliferation and disarmament on the basis of universal, multilateral, non-discriminatory and transparent negotiations with the goal of reaching general and complete disarmament under strict international control,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on disarmament,

Recognizing also that the proliferation and development of weapons of mass destruction, including nuclear weapons, are among the most immediate threats to international peace and security which need to be dealt with, with the highest priority,

Considering that the multilateral disarmament agreements provide the mechanism for States parties to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter,

Stressing that international cooperation, the peaceful settlement of disputes, dialogue and confidence-building measures would contribute essentially to the creation of multilateral and bilateral friendly relations among peoples and nations,

Being concerned at the continuous erosion of multilateralism in the field of arms regulation, non-proliferation and disarmament, and recognizing that a resort to unilateral actions by Member States in resolving their security concerns would jeopardize international peace and security and undermine confidence in the international security system as well as the foundations of the United Nations itself,

Noting that the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana on 15 and 16 September 2006, and the Fifteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Tehran on 29 and 30 July 2008, welcomed, respectively, the adoption of General Assembly resolutions 60/59 and 62/27 on the promotion of multilateralism in the area of disarmament and non-proliferation, and underlined the fact that multilateralism and multilaterally agreed solutions, in accordance with the Charter, provide the only sustainable method of addressing disarmament and international security issues,

Reaffirming the absolute validity of multilateral diplomacy in the field of disarmament and non-proliferation, and determined to promote multilateralism as an essential way to develop arms regulation and disarmament negotiations,

1. *Reaffirms* multilateralism as the core principle in negotiations in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope;

2. *Also reaffirms* multilateralism as the core principle in resolving disarmament and non-proliferation concerns;

3. *Urges* the participation of all interested States in multilateral negotiations on arms regulation, non-proliferation and disarmament in a non-discriminatory and transparent manner;

4. *Underlines* the importance of preserving the existing agreements on arms regulation and disarmament, which constitute an expression of the results of international cooperation and multilateral negotiations in response to the challenges facing mankind;

5. *Calls once again upon* all Member States to renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and non-proliferation;

6. *Requests* the States parties to the relevant instruments on weapons of mass destruction to consult and cooperate among themselves in resolving their concerns with regard to cases of non-compliance as well as on implementation, in accordance with the procedures defined in those instruments, and to refrain from resorting or threatening to resort to unilateral actions or directing unverified non-compliance accusations against one another to resolve their concerns;

7. *Takes note* of the report of the Secretary-General containing the replies of Member States on the promotion of

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[90] See resolution 55/2.

multilateralism in the area of disarmament and non-proliferation, submitted pursuant to resolution 62/27;[91]

8. *Requests* the Secretary-General to seek the views of Member States on the issue of the promotion of multilateralism in the area of disarmament and non-proliferation and to submit a report thereon to the General Assembly at its sixty-fourth session;

9. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Promotion of multilateralism in the area of disarmament and non-proliferation".

RESOLUTION 63/51

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[92]

63/51. Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

The General Assembly,

Recalling its resolutions 50/70 M of 12 December 1995, 51/45 E of 10 December 1996, 52/38 E of 9 December 1997, 53/77 J of 4 December 1998, 54/54 S of 1 December 1999, 55/33 K of 20 November 2000, 56/24 F of 29 November 2001, 57/64 of 22 November 2002, 58/45 of 8 December 2003, 59/68 of 3 December 2004, 60/60 of 8 December 2005, 61/63 of 6 December 2006 and 62/28 of 5 December 2007,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary to take duly into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and implementation of agreements on disarmament and arms limitation,

Taking note of the report of the Secretary-General submitted pursuant to resolution 62/28,[93]

Mindful of the detrimental environmental effects of the use of nuclear weapons,

1. *Reaffirms* that international disarmament forums should take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, should contribute fully to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties;

2. *Calls upon* States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to ensuring the application of scientific and technological progress within the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

3. *Welcomes* the information provided by Member States on the implementation of the measures they have adopted to promote the objectives envisaged in the present resolution;[93]

4. *Invites* all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing that information to the General Assembly at its sixty-fourth session;

5. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

RESOLUTION 63/52

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[94]

63/52. Relationship between disarmament and development

The General Assembly,

Recalling that the Charter of the United Nations envisages the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,

Recalling also the provisions of the Final Document of the Tenth Special Session of the General Assembly concerning the relationship between disarmament and development,[95] as well as the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,[96]

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[91] A/63/126.

[92] The draft resolution recommended in the report was sponsored in the Committee by Fiji, and Indonesia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

[93] A/63/116 and Add.1.

[94] The draft resolution recommended in the report was sponsored in the Committee by: Fiji, Indonesia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and Uruguay.

[95] See resolution S-10/2.

[96] United Nations publication, Sales No. E.87.IX.8.

Recalling further its resolutions 49/75 J of 15 December 1994, 50/70 G of 12 December 1995, 51/45 D of 10 December 1996, 52/38 D of 9 December 1997, 53/77 K of 4 December 1998, 54/54 T of 1 December 1999, 55/33 L of 20 November 2000, 56/24 E of 29 November 2001, 57/65 of 22 November 2002, 59/78 of 3 December 2004, 60/61 of 8 December 2005, 61/64 of 6 December 2006 and 62/48 of 5 December 2007, and its decision 58/520 of 8 December 2003,

Bearing in mind the Final Document of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998,[97] and the Final Document of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000,[98]

Mindful of the changes in international relations that have taken place since the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development, including the development agenda that has emerged over the past decade,

Bearing in mind the new challenges for the international community in the field of development, poverty eradication and the elimination of the diseases that afflict humanity,

Stressing the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection, and concerned at increasing global military expenditure, which could otherwise be spent on development needs,

Recalling the report of the Group of Governmental Experts on the relationship between disarmament and development[99] and its reappraisal of this significant issue in the current international context,

Bearing in mind the importance of following up on the implementation of the action programme adopted at the 1987 International Conference on the Relationship between Disarmament and Development,[96]

1. *Stresses* the central role of the United Nations in the disarmament-development relationship, and requests the Secretary-General to strengthen further the role of the Organization in this field, in particular the high-level Steering Group on Disarmament and Development, in order to ensure continued and effective coordination and close cooperation between the relevant United Nations departments, agencies and sub-agencies;

2. *Requests* the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the 1987 International Conference on the Relationship between Disarmament and Development;[96]

3. *Urges* the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever-widening gap between developed and developing countries;

4. *Encourages* the international community to achieve the Millennium Development Goals and to make reference to the contribution that disarmament could provide in meeting them when it reviews its progress towards this purpose in 2008, as well as to make greater efforts to integrate disarmament, humanitarian and development activities;

5. *Encourages* the relevant regional and subregional organizations and institutions, non-governmental organizations and research institutes to incorporate issues related to the relationship between disarmament and development in their agendas and, in this regard, to take into account the report of the Group of Governmental Experts on the relationship between disarmament and development;[99]

6. *Reiterates the invitation* to Member States to provide the Secretary-General with information regarding measures and efforts to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever-widening gap between developed and developing countries;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution, including the information provided by Member States pursuant to paragraph 6 above;

8. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Relationship between disarmament and development".

RESOLUTION 63/53

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[100] by a recorded vote of 174 to none, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan,

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[97] A/53/667-S/1998/1071, annex I.

[98] A/54/917-S/2000/580, annex.

[99] See A/59/119.

[100] The draft resolution recommended in the report was sponsored in the Committee by Fiji, and Indonesia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Israel, Marshall Islands, Palau, United States of America

63/53. Measures to uphold the authority of the 1925 Geneva Protocol

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolution 61/61 of 6 December 2006,

Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control,

Recalling the long-standing determination of the international community to achieve the effective prohibition of the development, production, stockpiling and use of chemical and biological weapons as well as the continuing support for measures to uphold the authority of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[101] as expressed by consensus in many previous resolutions,

Emphasizing the necessity of easing international tension and strengthening trust and confidence between States,

1. *Takes note* of the note by the Secretary-General;[102]

2. *Renews its previous call* to all States to observe strictly the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare,[101] and reaffirms the vital necessity of upholding its provisions;

3. *Calls upon* those States that continue to maintain reservations to the 1925 Geneva Protocol to withdraw them;

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution.

RESOLUTION 63/54

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[103] by a recorded vote of 141 to 4, with 34 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Georgia, Greece, Hungary, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Micronesia (Federated States of), Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine

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[101] League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

[102] A/63/91.

[103] The draft resolution recommended in the report was sponsored in the Committee by Indonesia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and Uruguay.

63/54. Effects of the use of armaments and ammunitions containing depleted uranium

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations and the rules of humanitarian international law,

Recalling its resolution 62/30 of 5 December 2007,

Determined to promote multilateralism as an essential means to carry forward negotiations on arms regulation and disarmament,

Taking note of the opinions expressed by Member States and relevant international organizations on the effects of the use of armaments and ammunitions containing depleted uranium, as reflected in the report submitted by the Secretary-General pursuant to resolution 62/30,[104]

Convinced that as humankind is more aware of the need to take immediate measures to protect the environment, any event that could jeopardize such efforts requires urgent attention to implement the required measures,

Taking into consideration the potential harmful effects of the use of armaments and ammunitions containing depleted uranium on human health and the environment,

1. *Expresses its appreciation* to the Member States and international organizations that submitted their views to the Secretary-General pursuant to resolution 62/30;

2. *Invites* Member States and relevant international organizations, particularly those that have not yet done so, to communicate to the Secretary-General their views on the effects of the use of armaments and ammunitions containing depleted uranium;

3. *Requests* the Secretary-General to request relevant international organizations to update and complete, as appropriate, their studies and research on the effects of the use of armaments and ammunitions containing depleted uranium on human health and the environment;

4. *Encourages* Member States, particularly the affected States, as necessary, to facilitate the studies and research referred to in paragraph 3 above;

5. *Requests* the Secretary-General to submit an updated report on this subject to the General Assembly at its sixty-fifth session, reflecting the information presented by Member States and relevant international organizations, including that submitted pursuant to paragraphs 2 and 3 above;

6. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Effects of the use of armaments and ammunitions containing depleted uranium".

RESOLUTION 63/55

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[105] by a recorded vote of 120 to 10, with 50 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Denmark, France, Israel, Lithuania, Marshall Islands, Micronesia (Federated States of), Netherlands, Palau, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Turkey, Ukraine

63/55. Missiles

The General Assembly,

Recalling its resolutions 54/54 F of 1 December 1999, 55/33 A of 20 November 2000, 56/24 B of 29 November 2001, 57/71 of 22 November 2002, 58/37 of 8 December 2003, 59/67 of 3 December 2004 and 61/59 of 6 December 2006, and its decisions 60/515 of 8 December 2005 and 62/514 of 5 December 2007,

Reaffirming the role of the United Nations in the field of arms regulation and disarmament and the commitment of Member States to take concrete steps to strengthen that role,

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[104] A/63/170 and Add.1.

[105] The draft resolution recommended in the report was sponsored in the Committee by: Egypt, Indonesia and Iran (Islamic Republic of).

Realizing the need to promote regional and international peace and security in a world free from the scourge of war and the burden of armaments,

Convinced of the need for a comprehensive approach towards missiles, in a balanced and non-discriminatory manner, as a contribution to international peace and security,

Bearing in mind that the security concerns of Member States at the international and regional levels should be taken into consideration in addressing the issue of missiles,

Underlining the complexities involved in considering the issue of missiles in the conventional context,

Expressing its support for the international efforts against the development and proliferation of all weapons of mass destruction,

Considering that the Secretary-General, in response to resolution 59/67, established a Panel of Governmental Experts to assist him in preparing a report for consideration by the General Assembly at its sixty-third session on the issue of missiles in all its aspects,

1. *Welcomes* the report of the Secretary-General on the issue of missiles in all its aspects, submitted pursuant to resolution 59/67;[106]

2. *Requests* the Secretary-General to seek the views of Member States on the report on the issue of missiles in all its aspects, and to submit them to the General Assembly at its sixty-fifth session;

3. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Missiles".

RESOLUTION 63/56

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[107]

63/56. Mongolia's international security and nuclear-weapon-free status

The General Assembly,

Recalling its resolutions 53/77 D of 4 December 1998, 55/33 S of 20 November 2000, 57/67 of 22 November 2002, 59/73 of 3 December 2004 and 61/87 of 6 December 2006,

Recalling also the purposes and principles of the Charter of the United Nations, as well as the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[108]

Bearing in mind its resolution 49/31 of 9 December 1994 on the protection and security of small States,

Proceeding from the fact that nuclear-weapon-free status is one of the means of ensuring the national security of States,

Convinced that the internationally recognized status of Mongolia contributes to enhancing stability and confidence-building in the region and promotes Mongolia's security by strengthening its independence, sovereignty and territorial integrity, the inviolability of its borders and the preservation of its ecological balance,

Taking note of the adoption by the Mongolian parliament of legislation defining and regulating Mongolia's nuclear-weapon-free status[109] as a concrete step towards promoting the aims of nuclear non-proliferation,

Bearing in mind the joint statement of the five nuclear-weapon States on security assurances to Mongolia in connection with its nuclear-weapon-free status [110] as a contribution to implementing resolution 53/77 D as well as their commitment to Mongolia to cooperate in the implementation of the resolution, in accordance with the principles of the Charter,

Noting that the joint statement was transmitted to the Security Council by the five nuclear-weapon States,

Mindful of the support expressed for Mongolia's nuclear-weapon-free status by the Heads of State and Government of Non-Aligned Countries at the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur on 24 and 25 February 2003,[111] and the Fourteenth Conference, held in Havana on 15 and 16 September 2006,[112] as well as by Ministers at the Fifteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Tehran on 29 and 30 July 2008,

Noting that the States parties and signatories to the Treaties of Tlatelolco,[113] Rarotonga,[114] Bangkok[115] and Pelindaba[116] and the State of Mongolia expressed their recognition and full support of Mongolia's international nuclear-weapon-free status at the first Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Tlatelolco, Mexico, from 26 to 28 April 2005,[117]

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[106] A/63/176.

[107] The draft resolution recommended in the report was sponsored in the Committee by: France, Kazakhstan, Mongolia, Morocco and United States of America.

[108] Resolution 2625 (XXV), annex.

[109] See A/55/56-S/2000/160.

[110] A/55/530-S/2000/1052, annex.

[111] See A/57/759-S/2003/332, annex I.

[112] See A/61/472-S/2006/780, annex I.

[113] United Nations, *Treaty Series*, vol. 634, No. 9068.

[114] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[115] United Nations, *Treaty Series*, vol. 1981, No. 33873.

[116] A/50/426, annex.

Noting also other measures taken to implement resolution 61/87 at the national and international levels,

Welcoming Mongolia's active and positive role in developing peaceful, friendly and mutually beneficial relations with the States of the region and other States,

Having considered the report of the Secretary-General on Mongolia's international security and nuclear-weapon-free status,[118]

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 61/87;[118]

2. *Expresses its appreciation* to the Secretary-General for the efforts to implement resolution 61/87;[119]

3. *Endorses and supports* Mongolia's good-neighbourly and balanced relationship with its neighbours as an important element of strengthening regional peace, security and stability;

4. *Welcomes* the efforts made by Member States to cooperate with Mongolia in implementing resolution 61/87, as well as the progress made in consolidating Mongolia's international security;

5. *Invites* Member States to continue to cooperate with Mongolia in taking the necessary measures to consolidate and strengthen Mongolia's independence, sovereignty and territorial integrity, the inviolability of its borders, its independent foreign policy, its economic security and its ecological balance, as well as its nuclear-weapon-free status;

6. *Appeals* to the Member States of the Asia and Pacific region to support Mongolia's efforts to join the relevant regional security and economic arrangements;

7. *Requests* the Secretary-General and relevant United Nations bodies to continue to provide assistance to Mongolia in taking the necessary measures mentioned in paragraph 5 above;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Mongolia's international security and nuclear-weapon-free status".

RESOLUTION 63/57

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[120]

63/57. Information on confidence-building measures in the field of conventional arms

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Bearing in mind the contribution of confidence-building measures in the field of conventional arms, adopted on the initiative and with the agreement of the States concerned, to the improvement of the overall international peace and security situation,

Convinced that the relationship between the development of confidence-building measures in the field of conventional arms and the international security environment can also be mutually reinforcing,

Considering the important role that confidence-building measures in the field of conventional arms can also play in creating favourable conditions for progress in the field of disarmament,

Recognizing that the exchange of information on confidence-building measures in the field of conventional arms contributes to mutual understanding and confidence among Member States,

Recalling its resolutions 59/92 of 3 December 2004, 60/82 of 8 December 2005 and 61/79 of 6 December 2006,

1. *Welcomes* all confidence-building measures in the field of conventional arms already undertaken by Member

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[117] See A/60/121, annex III.

[118] A/63/122.

[119] Ibid., sect. III.

[120] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Latvia, Liberia, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Montenegro, Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of) and Zimbabwe.

States as well as the information on such measures voluntarily provided;

2. *Encourages* Member States to continue to adopt confidence-building measures in the field of conventional arms and to provide information in that regard;

3. *Also encourages* Member States to continue the dialogue on confidence-building measures in the field of conventional arms;

4. *Welcomes* the establishment of the electronic database containing information provided by Member States, and requests the Secretary-General to keep the database updated and to assist Member States, at their request, in the organization of seminars, courses and workshops aimed at enhancing the knowledge of new developments in this field;

5. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Information on confidence-building measures in the field of conventional arms".

RESOLUTION 63/58

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[121] by a recorded vote of 166 to 5, with 7 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Democratic People's Republic of Korea, France, India, Israel, United States of America

Abstaining: Bhutan, Latvia, Micronesia (Federated States of), Pakistan, Palau, Russian Federation, United Kingdom of Great Britain and Northern Ireland

63/58. Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments

The General Assembly,

Recalling its resolution 62/25 of 5 December 2007,

Continuing to express its grave concern at the danger to humanity posed by the possibility that nuclear weapons could be used,

Reaffirming that nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts,

Recognizing the continued vital importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty[122] to the advancement of nuclear disarmament and nuclear non-proliferation objectives, and welcoming the recent ratifications of the Treaty by Barbados, Burundi, Colombia and Malaysia,

Recalling the decisions entitled "Strengthening the review process for the Treaty", "Principles and objectives for nuclear non-proliferation and disarmament" and "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons" and the resolution on the Middle East, adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons[123] and the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[124]

Recalling also the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, in accordance with commitments made under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[125]

Mindful of the approaching 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear

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[121] The draft resolution recommended in the report was sponsored in the Committee by: Austria, Bangladesh, Brazil, Costa Rica, Egypt, Fiji, Guyana, Ireland, Malawi, Malta, Mexico, New Zealand, South Africa and Sweden.

[122] See resolution 50/245.

[123] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

[124] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I–III (NPT/CONF.2000/28 (Parts I–IV)).

[125] United Nations, *Treaty Series*, vol. 729, No. 10485.

Weapons, and in this regard urging States parties to intensify their constructive engagement in the work of the Preparatory Committee for the 2010 Review Conference at its third session, in 2009,

1. *Continues to emphasize* the central role of the Treaty on the Non-Proliferation of Nuclear Weapons[125] and its universality in achieving nuclear disarmament and nuclear non-proliferation, and calls upon all States parties to respect their obligations;

2. *Calls upon* all States to comply fully with all commitments made regarding nuclear disarmament and nuclear non-proliferation and not to act in any way that may compromise either cause or that may lead to a new nuclear arms race;

3. *Reaffirms* that the outcome of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons[124] sets out the agreed process for systematic and progressive efforts towards nuclear disarmament, and in this regard renews its call upon the nuclear-weapon States to accelerate the implementation of the practical steps towards nuclear disarmament that were agreed upon at the 2000 Review Conference, thereby contributing to a safer world for all;

4. *Reiterates its call upon* all States parties to spare no effort to achieve the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, and in this regard urges India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States promptly and without conditions;

5. *Urges* the Democratic People's Republic of Korea to rescind its announced withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons, while recognizing the efforts undertaken during 2008 within the framework of the Six-Party Talks to achieve the denuclearization of the Korean Peninsula in a peaceful manner;

6. *Stresses* the need for a constructive and successful preparatory process leading to the 2010 Review Conference, which should contribute to strengthening the Treaty on the Non-Proliferation of Nuclear Weapons in all its aspects and achieving its full implementation and universality;

7. *Welcomes* the second session of the Preparatory Committee for the 2010 Review Conference, held in Geneva from 28 April to 9 May 2008, and calls upon the Preparatory Committee at its third session, in 2009, to identify and address specific aspects where urgent progress is required in order to advance the objective of a nuclear-weapon-free world, building on the outcomes of the 1995 and 2000 Conferences;

8. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments" and to review the implementation of the present resolution at that session.

RESOLUTION 63/59

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[126] by a recorded vote of 158 to none, with 18 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Viet Nam, Zambia

Against: None

Abstaining: Bahrain, Belarus, Cuba, Egypt, Iran (Islamic Republic of), Kuwait, Libyan Arab Jamahiriya, Nicaragua, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sudan, Syrian Arab Republic, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe

63/59. Compliance with non-proliferation, arms limitation and disarmament agreements and commitments

The General Assembly,

Recalling its resolution 60/55 of 8 December 2005 and other relevant resolutions on the question, and noting the report of the Panel of Government Experts on verification in all its aspects, including the role of the United Nations in the field of verification,[127]

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[126] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Congo, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, Hungary, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Monaco, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America.

Recognizing the abiding concern of all Member States for ensuring respect for the rights and obligations arising from treaties to which they are parties and from other sources of international law,

Convinced that observance by Member States of the Charter of the United Nations and compliance with non-proliferation, arms limitation and disarmament agreements to which they are parties and with other agreed obligations are essential for regional and global peace, security and stability,

Stressing that failure by States parties to comply with such agreements and with other agreed obligations not only adversely affects the security of States parties but also can create security risks for other States relying on the constraints and commitments stipulated in those agreements,

Stressing also that the viability and effectiveness of non-proliferation, arms limitation and disarmament agreements and of other agreed obligations require that those agreements be fully complied with and enforced,

Concerned by non-compliance by some States with their respective obligations,

Noting that verification and compliance, and enforcement in a manner consistent with the Charter, are integrally related,

Recognizing the importance of and support for effective national, regional, and international capacities for such verification, compliance, and enforcement,

Recognizing also that full compliance by States with all their respective non-proliferation, arms limitation and disarmament agreements and with other agreed obligations they have undertaken contributes to efforts to prevent the development and proliferation, contrary to international obligations, of weapons of mass destruction, related technologies and means of delivery, as well as to efforts to deny non-State actors access to such capabilities,

1. *Underscores* the contribution that compliance with non-proliferation, arms limitation and disarmament agreements and with other agreed obligations makes to enhancing confidence and to strengthening international security and stability;

2. *Urges* all States to implement and to comply fully with their respective obligations;

3. *Calls upon* all Member States to encourage and, for those States in a position to do so, to appropriately assist States which request assistance to increase their capacity to implement fully their obligations;

4. *Calls upon* all concerned States to take concerted action, in a manner consistent with relevant international law, to encourage, through bilateral and multilateral means, the compliance by all States with their respective non-proliferation, arms limitation and disarmament agreements and with other agreed obligations, and to hold those not in compliance with such agreements accountable for their non-compliance in a manner consistent with the Charter of the United Nations;

5. *Urges* those States not currently in compliance with their respective obligations and commitments to make the strategic decision to come back into compliance;

6. *Encourages* efforts by all States, the United Nations and other international organizations, pursuant to their respective mandates, to take action, consistent with the Charter, to prevent serious damage to international security and stability arising from non-compliance by States with their existing non-proliferation, arms limitation and disarmament obligations.

RESOLUTION 63/60

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[128]

63/60. Measures to prevent terrorists from acquiring weapons of mass destruction

The General Assembly,

Recalling its resolution 62/33 of 5 December 2007,

Recognizing the determination of the international community to combat terrorism, as evidenced in relevant General Assembly and Security Council resolutions,

Deeply concerned by the growing risk of linkages between terrorism and weapons of mass destruction, and in particular by the fact that terrorists may seek to acquire weapons of mass destruction,

Cognizant of the steps taken by States to implement Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction, adopted on 28 April 2004,

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[127] See A/61/1028.

[128] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Argentina, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Bhutan, Botswana, Bulgaria, Cambodia, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, India, Ireland, Italy, Jamaica, Kuwait, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Mauritius, Monaco, Myanmar, Nepal, Netherlands, Nicaragua, Norway, Philippines, Poland, Portugal, Romania, Russian Federation, Samoa, Serbia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia.

Welcoming the entry into force on 7 July 2007 of the International Convention for the Suppression of Acts of Nuclear Terrorism,[129]

Welcoming also the adoption, by consensus, of amendments to strengthen the Convention on the Physical Protection of Nuclear Material[130] by the International Atomic Energy Agency on 8 July 2005,

Noting the support expressed in the Final Document of the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, which was held in Havana on 15 and 16 September 2006[131] for measures to prevent terrorists from acquiring weapons of mass destruction,

Noting also that the Group of Eight, the European Union, the Regional Forum of the Association of Southeast Asian Nations and others have taken into account in their deliberations the dangers posed by the likely acquisition by terrorists of weapons of mass destruction, and the need for international cooperation in combating it,

Noting further the Global Initiative to Combat Nuclear Terrorism, launched jointly by the Russian Federation and the United States of America,

Acknowledging the consideration of issues relating to terrorism and weapons of mass destruction by the Advisory Board on Disarmament Matters,[132]

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency at its fifty-second regular session,[133]

Taking note also of the 2005 World Summit Outcome adopted on 16 September 2005 at the High-level Plenary Meeting of the sixtieth session of the General Assembly[134] and the adoption on 8 September 2006 of the United Nations Global Counter-Terrorism Strategy,[135]

Taking note further of the report of the Secretary-General submitted pursuant to paragraphs 3 and 5 of resolution 62/33,[136]

Mindful of the urgent need for addressing, within the United Nations framework and through international cooperation, this threat to humanity,

Emphasizing that progress is urgently needed in the area of disarmament and non-proliferation in order to maintain international peace and security and to contribute to global efforts against terrorism,

1. *Calls upon* all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery;

2. *Appeals* to all Member States to consider early accession to and ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism;[129]

3. *Urges* all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture;

4. *Encourages* cooperation among and between Member States and relevant regional and international organizations for strengthening national capacities in this regard;

5. *Requests* the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction and to seek the views of Member States on additional relevant measures, including national measures, for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction and to report to the General Assembly at its sixty-fourth session;

6. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Measures to prevent terrorists from acquiring weapons of mass destruction".

RESOLUTION 63/61

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[137]

63/61. Problems arising from the accumulation of conventional ammunition stockpiles in surplus

The General Assembly,

Mindful of contributing to the process initiated within the framework of the United Nations reform to make the Organization more effective in maintaining peace and security by giving it the resources and tools it needs for conflict prevention, peaceful resolution of disputes, peacekeeping, post-conflict peacebuilding and reconstruction,

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[129] Resolution 59/290, annex.

[130] United Nations, *Treaty Series*, vol. 1456, No. 24631.

[131] A/61/472-S/2006/780, annex I.

[132] See A/59/361.

[133] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Fifty-second Regular Session, 29 September–4 October 2008* (GC(52)RES/DEC(2008)).

[134] See resolution 60/1.

[135] Resolution 60/288.

[136] A/63/153.

[137] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Netherlands, Norway, Peru, Poland, Portugal, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Uganda, Ukraine and United Kingdom of Great Britain and Northern Ireland.

Underlining the importance of a comprehensive and integrated approach to disarmament through the development of practical measures,

Taking note of the report of the Group of Experts on the problem of ammunition and explosives,[138]

Recalling the recommendation contained in paragraph 27 of the report submitted by the Chairman of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, namely, to address the issue of small arms and light weapons ammunition in a comprehensive manner as part of a separate process conducted within the framework of the United Nations,[139]

Noting with satisfaction the work and measures pursued at the regional and subregional levels with regard to the issue of conventional ammunition,

Recalling its decision 59/515 of 3 December 2004 and its resolution 60/74 of 8 December 2005, as well as its resolution 61/72 of 6 December 2006, by which it decided to include the issue of conventional ammunition stockpiles in surplus in the agenda of its sixty-third session,

1. *Encourages* all interested States to assess, on a voluntary basis, whether, in conformity with their legitimate security needs, parts of their stockpiles of conventional ammunition should be considered to be in surplus, and recognizes that the security of such stockpiles must be taken into consideration and that appropriate controls with regard to the security and safety of stockpiles of conventional ammunition are indispensable at the national level in order to eliminate the risk of explosion, pollution or diversion;

2. *Appeals* to all interested States to determine the size and nature of their surplus stockpiles of conventional ammunition, whether they represent a security risk, if appropriate, their means of destruction, and whether external assistance is needed to eliminate this risk;

3. *Encourages* States in a position to do so to assist interested States within a bilateral framework or through international or regional organizations, on a voluntary and transparent basis, in elaborating and implementing programmes to eliminate surplus stockpiles or to improve their management;

4. *Encourages* all Member States to examine the possibility of developing and implementing, within a national, regional or subregional framework, measures to address accordingly the illicit trafficking related to the accumulation of such stockpiles;

5. *Takes note* of the replies submitted by Member States in response to the Secretary-General's request for views regarding the risks arising from the accumulation of conventional ammunition stockpiles in surplus and regarding national ways of strengthening controls on conventional ammunition;[140]

6. *Welcomes* the report by the Group of Governmental Experts established pursuant to resolution 61/72 to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus,[141] and strongly encourages States to implement its recommendations;

7. *Encourages* States in a position to do so to contribute, on a voluntary and transparent basis, to the development within the United Nations of technical guidelines for the stockpile management of conventional ammunition, which would be available for States to use on a voluntary basis, in order to assist States in improving their national stockpile management capacity, preventing the growth of conventional ammunition surpluses and addressing wider risk mitigation;[142]

8. *Reiterates* its decision to address the issue of conventional ammunition stockpiles in surplus in a comprehensive manner;

9. *Decides* to include this issue in the provisional agenda of its sixty-fourth session.

RESOLUTION 63/62

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[143] by a recorded vote of 182 to none, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil,

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[138] See A/54/155.

[139] A/60/88 and Corr.2.

[140] A/61/118 and Add.1 and A/62/166 and Add.1.

[141] See A/63/182.

[142] Ibid., para. 72.

[143] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chad, Chile, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan and Vanuatu.

Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: None

63/62. Consolidation of peace through practical disarmament measures

The General Assembly,

Recalling its resolutions 51/45 N of 10 December 1996, 52/38 G of 9 December 1997, 53/77 M of 4 December 1998, 54/54 H of 1 December 1999, 55/33 G of 20 November 2000, 56/24 P of 29 November 2001 and 57/81 of 22 November 2002, its decision 58/519 of 8 December 2003, as well as its resolutions 59/82 of 3 December 2004 and 61/76 of 6 December 2006 entitled "Consolidation of peace through practical disarmament measures",

Convinced that a comprehensive and integrated approach towards certain practical disarmament measures often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective post-conflict peacebuilding; such measures include collection and responsible disposal, preferably through destruction, of weapons obtained through illicit trafficking or illicit manufacture as well as of weapons and ammunition declared by competent national authorities to be surplus to requirements, particularly with regard to small arms and light weapons, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered; confidence-building measures; disarmament, demobilization and reintegration of former combatants; demining; and conversion,

Noting with satisfaction that the international community is more than ever aware of the importance of such practical disarmament measures, especially with regard to the growing problems arising from the excessive accumulation and uncontrolled spread of small arms and light weapons, including their ammunition, which pose a threat to peace and security and reduce the prospects for economic development in many regions, particularly in post-conflict situations,

Stressing that further efforts are needed in order to develop and effectively implement programmes of practical disarmament in affected areas as part of disarmament, demobilization and reintegration measures so as to complement, on a case-by-case basis, peacekeeping and peacebuilding efforts,

Taking note with appreciation of the report of the Secretary-General on prevention of armed conflict,[144] which, inter alia, refers to the role which the proliferation and the illicit transfer of small arms and light weapons play in the context of the build-up and sustaining of conflicts,

Taking note of the statement by the President of the Security Council of 31 August 2001[145] underlining the importance of practical disarmament measures in the context of armed conflicts, and, with regard to disarmament, demobilization and reintegration programmes, emphasizing the importance of measures to contain the security risks stemming from the use of illicit small arms and light weapons,

Taking note also of the report of the Secretary-General prepared with the assistance of the Group of Governmental Experts on Small Arms[146] and, in particular, the recommendations contained therein, as an important contribution to the consolidation of the peace process through practical disarmament measures,

Welcoming the work of the United Nations Coordinating Action on Small Arms mechanism, which was established by the Secretary-General to bring about a holistic and multidisciplinary approach to this complex and multifaceted global problem,

Welcoming also the establishment, within the United Nations system, of the Programme of Action Implementation Support System, which provides a comprehensive tool to facilitate international cooperation and assistance for the implementation of practical disarmament measures, including the matching of assistance needs with available resources,

Welcoming further the reports of the first, second and third biennial meetings of States to consider the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its

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[144] A/55/985-S/2001/574 and Corr.1.

[145] S/PRST/2001/21; see *Resolutions and Decisions of the Security Council, 1 January 2001–31 July 2002.*

[146] A/61/288.

Aspects, held in New York from 7 to 11 July 2003,[147] from 11 to 15 July 2005[148] and from 14 to 18 July 2008,[149]

1. *Stresses* the particular relevance of the "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N", adopted by the Disarmament Commission by consensus at its 1999 substantive session;[150]

2. *Takes note* of the report of the Secretary-General on the consolidation of peace through practical disarmament measures, submitted pursuant to resolution 61/76,[151] and once again encourages Member States as well as regional arrangements and agencies to lend their support to the implementation of recommendations contained therein;

3. *Emphasizes* the importance of including in United Nations-mandated peacekeeping missions, as appropriate and with the consent of the host State, practical disarmament measures aimed at addressing the problem of the illicit trade in small arms and light weapons in conjunction with disarmament, demobilization and reintegration programmes aimed at former combatants, with a view to promoting an integrated comprehensive and effective weapons management strategy that would contribute to a sustainable peacebuilding process;

4. *Welcomes* the activities undertaken by the Group of Interested States, and invites the Group to continue to promote, on the basis of lessons learned from previous disarmament and peacebuilding projects, new practical disarmament measures to consolidate peace, especially as undertaken or designed by affected States themselves, regional and subregional organizations as well as United Nations agencies;

5. *Encourages* Member States, also in the framework of the Group of Interested States, to continue to lend their support to the Secretary-General, relevant international, regional and subregional organizations, in accordance with Chapter VIII of the Charter of the United Nations, and non-governmental organizations in responding to requests by Member States to collect and destroy small arms and light weapons, including their ammunition, in post-conflict situations;

6. *Welcomes* the synergies within the multi-stakeholder process, including Governments, the United Nations system, regional and subregional organizations and institutions as well as non-governmental organizations in support of practical disarmament measures and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[152]

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of practical disarmament measures, taking into consideration the activities of the Group of Interested States in this regard;

8. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Consolidation of peace through practical disarmament measures".

RESOLUTION 63/63

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[153] by a recorded vote of 141 to 3, with 36 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey

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[147] A/CONF.192/BMS/2003/1.

[148] A/CONF.192/BMS/2005/1.

[149] A/CONF.192/BMS/2008/3.

[150] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex III.

[151] A/63/261.

[152] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[153] The draft resolution recommended in the report was sponsored in the Committee by: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

63/63. Establishment of a nuclear-weapon-free zone in Central Asia

The General Assembly,

Recalling its resolutions 52/38 S of 9 December 1997, 53/77 A of 4 December 1998, 55/33 W of 20 November 2000, 57/69 of 22 November 2002 and 61/88 of 6 December 2006, and its decisions 54/417 of 1 December 1999, 56/412 of 29 November 2001, 58/518 of 8 December 2003, 59/513 of 3 December 2004 and 60/516 of 8 December 2005,

Convinced that the establishment of nuclear-weapon-free zones contributes to the achievement of general and complete disarmament, and emphasizing the importance of internationally recognized treaties on the establishment of such zones in different regions of the world in the strengthening of the non-proliferation regime,

Considering that the establishment of a nuclear-weapon-free zone in Central Asia on the basis of arrangements freely arrived at among the States of the region[154] constitutes an important step towards strengthening the nuclear non-proliferation regime and ensuring regional and international peace and security,

Considering also the establishment of a nuclear-weapon-free zone in Central Asia as an effective contribution to combating international terrorism and preventing nuclear materials and technologies from falling into the hands of non-State actors, primarily terrorists,

Reaffirming the universally recognized role of the United Nations in the establishment of nuclear-weapon-free zones,

Emphasizing the role of a nuclear-weapon-free zone in Central Asia in promoting cooperation in the peaceful uses of nuclear energy and in the environmental rehabilitation of territories affected by radioactive contamination, and the importance of stepping up efforts to ensure the safe and reliable storage of radioactive waste in the Central Asian States,

Recognizing the importance of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, signed in Semipalatinsk, Kazakhstan, on 8 September 2006, and emphasizing its significance in the attainment of peace and security,

1. *Welcomes* the ratification of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia by Kyrgyzstan, Turkmenistan and Uzbekistan;

2. *Notes* the readiness of the Central Asian countries to continue consultations with the nuclear-weapon States on a number of provisions of the Treaty;

3. *Welcomes* the convening of an international conference on the problem of uranium tailings, to be held in Bishkek in 2009, and calls upon the specialized agencies of the United Nations and other stakeholders to participate in that conference;

4. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Establishment of a nuclear-weapon-free zone in Central Asia".

RESOLUTION 63/64

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[155] by a recorded vote of 159 to 1, with 18 abstentions, as follows:

In favour: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritania, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland,

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[154] Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

[155] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Barbados, Belarus, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burundi, Cambodia, Canada, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Sudan, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay and Uzbekistan.

United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Zambia

Against: Iran (Islamic Republic of)

Abstaining: Algeria, Bahrain, Chad, Cuba, Egypt, India, Indonesia, Lebanon, Malaysia, Mauritius, Mexico, Oman, Pakistan, Qatar, Syrian Arab Republic, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen

63/64. The Hague Code of Conduct against Ballistic Missile Proliferation

The General Assembly,

Concerned about the increasing regional and global security challenges caused, inter alia, by the ongoing proliferation of ballistic missiles capable of delivering weapons of mass destruction,

Bearing in mind the purposes and principles of the United Nations and its role and responsibility in the field of international peace and security in accordance with the Charter of the United Nations,

Emphasizing the significance of regional and international efforts to prevent and curb comprehensively the proliferation of ballistic missile systems capable of delivering weapons of mass destruction, as a contribution to international peace and security,

Welcoming the adoption of the Hague Code of Conduct against Ballistic Missile Proliferation on 25 November 2002 at The Hague,[156] and convinced that the Code of Conduct will contribute to enhancing transparency and confidence among States,

Recalling its resolution 60/62 of 8 December 2005 entitled "The Hague Code of Conduct against Ballistic Missile Proliferation",

Confirming its commitment to the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, as contained in the annex to its resolution 51/122 of 13 December 1996,

Recognizing that States should not be excluded from utilizing the benefits of space for peaceful purposes, but that in reaping such benefits and in conducting related cooperation they must not contribute to the proliferation of ballistic missiles capable of carrying weapons of mass destruction,

Mindful of the need to combat the proliferation of weapons of mass destruction and their means of delivery,

1. *Notes with satisfaction* that one hundred and thirty States have already subscribed to the Hague Code of Conduct against Ballistic Missile Proliferation[156] as a practical step against the proliferation of weapons of mass destruction and their means of delivery;

2. *Invites* all States that have not yet subscribed to the Code of Conduct to do so;

3. *Encourages* the exploration of further ways and means to deal effectively with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction;

4. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "The Hague Code of Conduct against Ballistic Missile Proliferation".

RESOLUTION 63/65

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[157] by a recorded vote of 171 to 3, with 7 abstentions, as follows:

In favour: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

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[156] A/57/724, enclosure.

[157] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda, Argentina, Bangladesh, Belize, Bolivia, Brazil, Brunei Darussalam, Cambodia, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Fiji, Grenada, Guatemala, Guyana, Haiti, Honduras, Indonesia, Jamaica, Mexico, Mongolia, New Zealand, Panama, Papua New Guinea, Paraguay, Peru, Samoa, Singapore, South Africa, Thailand, Uruguay, Uzbekistan and Venezuela (Bolivarian Republic of).

Against: France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: India, Israel, Marshall Islands, Micronesia (Federated States of), Pakistan, Palau, Russian Federation

63/65. Nuclear-weapon-free southern hemisphere and adjacent areas

The General Assembly,

Recalling its resolutions 51/45 B of 10 December 1996, 52/38 N of 9 December 1997, 53/77 Q of 4 December 1998, 54/54 L of 1 December 1999, 55/33 I of 20 November 2000, 56/24 G of 29 November 2001, 57/73 of 22 November 2002, 58/49 of 8 December 2003, 59/85 of 3 December 2004, 60/58 of 8 December 2005, 61/69 of 6 December 2006 and 62/35 of 5 December 2007,

Recalling also the adoption by the Disarmament Commission at its 1999 substantive session of a text entitled "Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned",[158]

Determined to pursue the total elimination of nuclear weapons,

Determined also to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly,[159] the first special session devoted to disarmament,

Stressing the importance of the treaties of Tlatelolco,[160] Rarotonga, [161] Bangkok [162] and Pelindaba [163] establishing nuclear-weapon-free zones, as well as the Antarctic Treaty,[164] to, inter alia, achieve a world entirely free of nuclear weapons,

Underlining the value of enhancing cooperation among the nuclear-weapon-free-zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

Noting the adoption of the Declaration of Santiago de Chile by the Governments of the States members of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and the States parties to the Treaty of Tlatelolco, during the nineteenth regular session of the General Conference of the Agency, held in Santiago on 7 and 8 November 2005,[165]

Recalling the applicable principles and rules of international law relating to the freedom of the high seas and the rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea,[166]

1. *Welcomes* the continued contribution that the Antarctic Treaty[164] and the treaties of Tlatelolco,[160] Rarotonga,[161] Bangkok[162] and Pelindaba[163] are making towards freeing the southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Also welcomes* the ratification by all original parties of the Treaty of Rarotonga, and calls upon eligible States to adhere to the Treaty and the protocols thereto;

3. *Further welcomes* the efforts towards the completion of the ratification process of the Treaty of Pelindaba, and calls upon the States of the region that have not yet done so to sign and ratify the Treaty, with the aim of its early entry into force;

4. *Welcomes* the signing of the Semipalatinsk Treaty on 8 September 2006,[167] and urges all relevant States to cooperate in resolving outstanding issues with a view to the full implementation of the Treaty;

5. *Calls upon* all concerned States to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free-zone treaties by all relevant States that have not yet adhered to them;

6. *Welcomes* the steps taken to conclude further nuclear-weapon-free-zone treaties on the basis of arrangements freely arrived at among the States of the region concerned, and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear-weapon-free zones in the Middle East and South Asia;

7. *Affirms its conviction* of the important role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all

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[158] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex I.

[159] Resolution S-10/2.

[160] United Nations, *Treaty Series*, vol. 634, No. 9068.

[161] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[162] United Nations, *Treaty Series*, vol. 1981, No. 33873.

[163] A/50/426, annex.

[164] United Nations, *Treaty Series*, vol. 402, No. 5778.

[165] See A/60/678.

[166] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[167] Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

States to support the process of nuclear disarmament and to work for the total elimination of all nuclear weapons;

8. *Welcomes* the progress made on increased collaboration within and between zones at the first Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Tlatelolco, Mexico, from 26 to 28 April 2005, at which States reaffirmed their need to cooperate in order to achieve their common objectives;

9. *Congratulates* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, as well as Mongolia, for their efforts to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, and calls upon them to explore and implement further ways and means of cooperation among themselves and their treaty agencies;

10. *Encourages* the competent authorities of the nuclear-weapon-free-zone treaties to provide assistance to the States parties and signatories to those treaties so as to facilitate the accomplishment of the goals;

11. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

RESOLUTION 63/66

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[168]

63/66. Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them

The General Assembly,

Recalling its resolution 62/22 of 5 December 2007 on assistance to States for curbing the illicit traffic in small arms and collecting them,

Deeply concerned by the magnitude of human casualty and suffering, especially among children, caused by the illicit proliferation and use of small arms and light weapons,

Concerned by the negative impact that the illicit proliferation and use of those weapons continue to have on the efforts of States in the Sahelo-Saharan subregion in the areas of poverty eradication, sustainable development and the maintenance of peace, security and stability,

Bearing in mind the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, adopted at Bamako on 1 December 2000,[169]

Recalling the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all",[170] in which he emphasized that States must strive just as hard to eliminate the threat of illicit small arms and light weapons as they do to eliminate the threat of weapons of mass destruction,

Taking note of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, adopted on 8 December 2005,[171]

Welcoming the expression of support in the 2005 World Summit Outcome for the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[172]

Welcoming also the adoption, at the thirtieth ordinary summit of the Economic Community of West African States, held in Abuja in June 2006, of the Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, in replacement of the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa,

Welcoming further the decision taken by the Economic Community to establish a Small Arms Unit responsible for advocating appropriate policies and developing and implementing programmes, as well as the establishment of the Economic Community's Small Arms Control Programme, launched on 6 June 2006 in Bamako, in replacement of the Programme for Coordination and Assistance for Security and Development,

Taking note of the latest report of the Secretary-General on assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them and the illicit trade in small arms and light weapons in all its aspects,[173]

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[168] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Angola, Austria, Belgium, Bulgaria, Burundi, Canada, Central African Republic, Chile, Colombia, Congo, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Ireland, Italy, Jamaica, Kenya, Latvia, Lithuania, Luxembourg, Malawi, Mali (on behalf of the States Members of the United Nations which are members of the Economic Community of West African States), Malta, Mauritania, Montenegro, Morocco, Mozambique, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Rwanda, San Marino, Serbia, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and Zimbabwe.

[169] A/CONF.192/PC/23, annex.

[170] A/59/2005.

[171] A/60/88 and Corr.2, annex; see also decision 60/519.

[172] See resolution 60/1, para. 94.

Welcoming, in that regard, the decision of the European Union to significantly support the Economic Community in its efforts to combat the illicit proliferation of small arms and light weapons,

Recognizing the important role that civil society organizations play, by raising public awareness, in efforts to curb the illicit traffic in small arms and light weapons,

Taking note of the report of the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 26 June to 7 July 2006,[174]

1. *Commends* the United Nations and international, regional and other organizations for their assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;

2. *Encourages* the Secretary-General to pursue his efforts in the context of the implementation of General Assembly resolution 49/75 G of 15 December 1994 and the recommendations of the United Nations advisory missions aimed at curbing the illicit circulation of small arms and light weapons and collecting them in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the African Union;

3. *Encourages* the international community to support the implementation of the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials;

4. *Encourages* the countries of the Sahelo-Saharan subregion to facilitate the effective functioning of national commissions to combat the illicit proliferation of small arms and light weapons, and, in that regard, invites the international community to lend its support wherever possible;

5. *Encourages* the collaboration of civil society organizations and associations in the efforts of the national commissions to combat the illicit traffic in small arms and light weapons and in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[175]

6. *Also encourages* cooperation among State organs, international organizations and civil society in supporting programmes and projects aimed at combating the illicit traffic in small arms and light weapons and collecting them;

7. *Calls upon* the international community to provide technical and financial support to strengthen the capacity of civil society organizations to take action to help to combat the illicit trade in small arms and light weapons;

8. *Invites* the Secretary-General and those States and organizations that are in a position to do so to continue to provide assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;

9. *Requests* the Secretary-General to continue to consider the matter and to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them".

RESOLUTION 63/67

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[176]

63/67. Preventing and combating illicit brokering activities

The General Assembly,

Noting the threat to international peace and security posed by illicit brokering activities circumventing the international arms control and non-proliferation framework,

Concerned that, if proper measures are not taken, the illicit brokering of arms in all its aspects will adversely affect the maintenance of international peace and security and prolong conflicts, thereby impeding sustainable economic and social development, and result in the threat of illicit transfers of conventional arms and the acquisition of weapons of mass destruction by non-State actors,

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[173] A/63/261.

[174] A/CONF.192/2006/RC/9.

[175] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[176] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Antigua and Barbuda, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guinea, Guyana, Haiti, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kenya, Latvia, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Micronesia (Federated States of), Netherlands, Norway, Papua New Guinea, Philippines, Poland, Portugal, Republic of Korea, Romania, Samoa, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of Macedonia, Togo, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland and Uruguay.

Recognizing the need for Member States to prevent and combat illicit brokering activities, which covers not only conventional arms but also materials, equipment and technology that could contribute to the proliferation of weapons of mass destruction and their means of delivery,

Reaffirming that efforts to prevent and combat illicit brokering activities should not hamper the legitimate arms trade and international cooperation with respect to materials, equipment and technology for peaceful purposes,

Recalling Security Council resolution 1540 (2004) of 28 April 2004, in particular paragraph 3, which determined that all States should develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, illicit trafficking and brokering in accordance with their national legal authorities and legislation and consistent with international law,

Recalling also relevant resolutions adopted in previous years, including resolutions 62/40 and 62/47 of 5 December 2007, which include calls for the control of brokering activities, as well as resolution 62/26 of 5 December 2007, by which the General Assembly invited Member States to enact or improve national legislation on the transfer of arms, military equipment and dual-use goods and technology,

Taking note of international efforts to prevent and combat illicit arms brokering, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[177] and the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,[178]

Noting the report of the Group of Governmental Experts established pursuant to resolution 60/81 of 8 December 2005 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons[179] as an international initiative within the framework of the United Nations,

Recalling the report of the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[180] which acknowledges the importance of implementing the recommendations contained in the report of the Group of Governmental Experts on illicit brokering,[179] and of developing national legislation and administrative procedures in this area,

Underlining the inherent right of Member States to determine the specific scope and content of domestic regulations in accordance with their legislative frameworks and export control systems, consistent with international laws,

Welcoming the efforts made by Member States to implement laws and/or administrative measures to regulate arms brokering within their legal systems,

Acknowledging the constructive role civil society can play in raising awareness and providing practical expertise on the prevention of illicit brokering activities,

1. *Underlines* the commitment of Member States to address the threat posed by illicit brokering activities;

2. *Encourages* Member States to fully implement relevant international treaties, instruments and resolutions to prevent and combat illicit brokering activities;

3. *Calls upon* Member States to establish appropriate national laws and/or measures to prevent and combat the illicit brokering of conventional arms and of materials, equipment and technology that could contribute to the proliferation of weapons of mass destruction and their means of delivery, in a manner consistent with international law;

4. *Acknowledges* that national efforts to prevent and combat illicit brokering activities can be reinforced by such efforts at the regional and subregional levels;

5. *Emphasizes* the importance of international cooperation and assistance, capacity-building and information-sharing in preventing and combating illicit brokering activities;

6. *Encourages* Member States to draw, where appropriate, on the relevant expertise of civil society in developing effective measures to prevent and combat illicit brokering activities;

7. *Decides* to include in the provisional agenda of its sixty-fifth session an item entitled "Preventing and combating illicit brokering activities".

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[177] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[178] United Nations, *Treaty Series*, vol. 2326, No. 39574.

[179] See A/62/163 and Corr.1.

[180] A/CONF.192/BMS/2008/3.

RESOLUTION 63/68

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[181] by a recorded vote of 180 to 1, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Israel

63/68. Transparency and confidence-building measures in outer space activities

The General Assembly,

Recalling its resolutions 60/66 of 8 December 2005, 61/75 of 6 December 2006 and 62/43 of 5 December 2007,

Reaffirming that the prevention of an arms race in outer space would avert a grave danger to international peace and security,

Conscious that further measures should be examined in the search for agreements to prevent an arms race in outer space, including the weaponization of outer space,

Recalling, in this context, its previous resolutions, including resolutions 45/55 B of 4 December 1990 and 48/74 B of 16 December 1993, which, inter alia, emphasize the need for increased transparency and confirm the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Recalling also the report of the Secretary-General of 15 October 1993 to the General Assembly at its forty-eighth session, the annex to which contains the study by governmental experts on the application of confidence-building measures in outer space,[182]

Noting the constructive debate which the Conference on Disarmament held on this subject in 2008, including the views and ideas expressed by the European Union and other States,

Noting also the introduction by the Russian Federation and China at the Conference on Disarmament of the draft treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects,

Noting further the contribution of Member States which have submitted to the Secretary-General concrete proposals on international outer space transparency and confidence-building measures pursuant to paragraph 1 of resolution 61/75 and paragraph 2 of resolution 62/43,

1. *Takes note* of the reports of the Secretary-General containing concrete proposals from Member States on international outer space transparency and confidence-building measures;[183]

2. *Invites* all Member States to continue to submit to the Secretary-General concrete proposals on international outer space transparency and confidence-building measures in the interest of maintaining international peace and security and promoting international cooperation and the prevention of an arms race in outer space;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report with an annex containing concrete proposals from Member States on international outer space transparency and confidence-building measures;

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[181] The draft resolution recommended in the report was sponsored in the Committee by: Armenia, Austria, Belarus, Belgium, Brazil, Bulgaria, Chile, China, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Fiji, Finland, Germany, Greece, Guatemala, Hungary, Iceland, Indonesia, Ireland, Italy, Kazakhstan, Kyrgyzstan, Luxembourg, Malta, Mongolia, Myanmar, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of) and Viet Nam.

[182] A/48/305 and Corr.1.

[183] A/62/114 and Add.1 and A/63/136 and Add.1.

4. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Transparency and confidence-building measures in outer space activities".

RESOLUTION 63/69

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[184] by a recorded vote of 160 to none, with 22 abstentions, as follows:

In favour: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

Against: None

Abstaining: Algeria, Bahrain, Comoros, Djibouti, Egypt, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Myanmar, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen

63/69. Transparency in armaments

The General Assembly,

Recalling its resolutions 46/36 L of 9 December 1991, 47/52 L of 15 December 1992, 48/75 E of 16 December 1993, 49/75 C of 15 December 1994, 50/70 D of 12 December 1995, 51/45 H of 10 December 1996, 52/38 R of 9 December 1997, 53/77 V of 4 December 1998, 54/54 O of 1 December 1999, 55/33 U of 20 November 2000, 56/24 Q of 29 November 2001, 57/75 of 22 November 2002, 58/54 of 8 December 2003, 60/226 of 23 December 2005 and 61/77 of 6 December 2006 entitled "Transparency in armaments",

Continuing to take the view that an enhanced level of transparency in armaments contributes greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conventional Arms[185] constitutes an important step forward in the promotion of transparency in military matters,

Welcoming the consolidated reports of the Secretary-General on the Register, which includes the returns of Member States for 2006[186] and 2007,[187]

Welcoming also the response of Member States to the request contained in paragraphs 9 and 10 of resolution 46/36 L to provide data on their imports and exports of arms, as well as available background information regarding their military holdings, procurement through national production and relevant policies,

Welcoming further the inclusion by some Member States of their transfers of small arms and light weapons in their annual report to the Register as part of their additional background information,

Noting the focused discussion on transparency in armaments that took place in the Conference on Disarmament in 2007 and 2008,

Stressing that the continuing operation of the Register and its further development should be reviewed in order to secure a Register that is capable of attracting the widest possible participation,

1. *Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms, as provided for in paragraphs 7 to 10 of resolution 46/36 L;

2. *Calls upon* Member States, with a view to achieving universal participation, to provide the Secretary-General, by 31 May annually, with the requested data and information for the Register, including nil reports if appropriate, on the basis of

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[184] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Nepal, Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Serbia, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia.

[185] See resolution 46/36 L.

[186] A/62/170 and Add.1–3.

[187] A/63/120 and Add.1.

resolutions 46/36 L and 47/52 L, the recommendations contained in paragraph 64 of the 1997 report of the Secretary-General on the continuing operation of the Register and its further development,[188] the recommendations contained in paragraph 94 of the 2000 report of the Secretary-General and the appendices and annexes thereto,[189] the recommendations contained in paragraphs 112 to 114 of the 2003 report of the Secretary-General[190] and the recommendations contained in paragraphs 123 to 127 of the 2006 report of the Secretary-General;[191]

3. *Invites* Member States in a position to do so, pending further development of the Register, to provide additional information on procurement through national production and military holdings and to make use of the "Remarks" column in the standardized reporting form to provide additional information such as types or models;

4. *Also invites* Member States in a position to do so to provide additional background information on transfers of small arms and light weapons on the basis of the optional standardized reporting form, as adopted by the 2006 group of governmental experts,[191] or by any other methods they deem appropriate;

5. *Reaffirms* its decision, with a view to further development of the Register, to keep the scope of and participation in the Register under review and, to that end:

(*a*) Recalls its request to Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

(*b*) Requests the Secretary-General, with the assistance of a group of governmental experts to be convened in 2009, within available resources, on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account the work of the Conference on Disarmament, the views expressed by Member States and the reports of the Secretary-General on the continuing operation of the Register and its further development, with a view to taking a decision at its sixty-fourth session;

6. *Requests* the Secretary-General to implement the recommendations contained in his 2000, 2003 and 2006 reports on the continuing operation of the Register and its further development and to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

7. *Invites* the Conference on Disarmament to consider continuing its work undertaken in the field of transparency in armaments;

8. *Reiterates its call upon* all Member States to cooperate at the regional and subregional levels, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

9. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on progress made in implementing the present resolution;

10. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Transparency in armaments".

RESOLUTION 63/70

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[192]

63/70. United Nations study on disarmament and non-proliferation education

The General Assembly,

Recalling its resolutions 55/33 E of 20 November 2000, 57/60 of 22 November 2002, 59/93 of 3 December 2004 and 61/73 of 6 December 2006,

Welcoming the report of the Secretary-General on disarmament and non-proliferation education,[193] in which the Secretary-General reported on the implementation of the recommendations contained in the United Nations study on disarmament and non-proliferation education,[194]

Also welcoming the launch of the disarmament and non-proliferation education website, "Disarmament Education: Resources for Learning",[195] by the Office for Disarmament Affairs of the Secretariat, and the educational disarmament and non-proliferation website on the United Nations CyberSchoolBus site,[196] launched by the Department of Public Information of the Secretariat and the Office for Disarmament Affairs,

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[188] A/52/316 and Corr.2.

[189] A/55/281.

[190] A/58/274.

[191] See A/61/261.

[192] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Australia, Belgium, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Fiji, Guatemala, Haiti, Honduras, Hungary, India, Iraq, Japan, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland and Uruguay.

[193] A/63/158 and Add.1.

[194] A/57/124.

[195] www.un.org/disarmament/education/index.html.

Emphasizing that the Secretary-General concludes in his report that efforts need to be continued to implement the recommendations of the study and follow the good examples of how they are being implemented to stimulate even further long-term results,

Desirous of stressing the urgency of promoting concerted international efforts at disarmament and non-proliferation, in particular in the field of nuclear disarmament and non-proliferation, with a view to strengthening international security and enhancing sustainable economic and social development,

Conscious of the need to combat the negative effects of cultures of violence and complacency in the face of current dangers in this field through long-term programmes of education and training,

Remaining convinced that the need for disarmament and non-proliferation education has never been greater, not only on the subject of weapons of mass destruction but also in the field of small arms and light weapons, terrorism and other challenges to international security and the process of disarmament, as well as on the relevance of implementing the recommendations contained in the United Nations study,

Recognizing the importance of the role of civil society, including non-governmental organizations, in the promotion of disarmament and non-proliferation education,

1. *Expresses its appreciation* to the Member States, the United Nations and other international and regional organizations, civil society and non-governmental organizations, which, within their purview, implemented the recommendations made in the United Nations study,[194] as discussed in the report of the Secretary-General reviewing the implementation of the recommendations,[193] and encourages them once again to continue applying those recommendations and reporting to the Secretary-General on steps taken to implement them;

2. *Requests* the Secretary-General to prepare a report reviewing the results of the implementation of the recommendations and possible new opportunities for promoting disarmament and non-proliferation education, and to submit it to the General Assembly at its sixty-fifth session;

3. *Reiterates the request* to the Secretary-General to utilize electronic means to the fullest extent possible in the dissemination, in as many official languages as feasible, of information related to that report and any other information that the Office for Disarmament Affairs gathers on an ongoing basis in regard to the implementation of the recommendations of the United Nations study;

4. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Disarmament and non-proliferation education".

RESOLUTION 63/71

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/389, para. 86)[197]

63/71. Convention on Cluster Munitions

The General Assembly,

Recalling the conclusion of negotiations on the Convention on Cluster Munitions at Dublin on 30 May 2008,[198]

Noting that the Convention will be opened for signature at Oslo on 3 December 2008, and will remain open for signature thereafter at United Nations Headquarters in New York until its entry into force,

Bearing in mind, in particular, the tasks entrusted to the Secretary-General pursuant to the terms of the Convention,

Requests the Secretary-General to render the necessary assistance and to provide such services as may be necessary to fulfil the tasks entrusted to him by the Convention on Cluster Munitions.[198]

RESOLUTION 63/72

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[199] by a recorded vote of 181 to 1, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan,

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[196] www.cyberschoolbus.un.org/dnp.

[197] The draft resolution recommended in the report was sponsored in the Committee by Ireland (on behalf of the States Members of the United Nations that are members of the Core Group of the Oslo Process: Austria, Ireland, Mexico, New Zealand, Norway and Peru).

[198] See *Final Document of the Diplomatic Conference for the Adoption of a Convention on Cluster Munitions, Dublin, 19–30 May 2008* (CCM/78), Part II. Available from www.clustermunitionsdublin.ie/convention.asp.

[199] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Grenada, Guatemala, Guyana, Hungary, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Mexico, Mongolia, Mozambique, Netherlands, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: None

63/72. The illicit trade in small arms and light weapons in all its aspects

The General Assembly,

Recalling its resolution 62/47 of 5 December 2007 as well as all previous resolutions entitled "The illicit trade in small arms and light weapons in all its aspects", including resolution 56/24 V of 24 December 2001,

Emphasizing the importance of the continued and full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[200]

Emphasizing also the importance of the continued and full implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (the International Tracing Instrument),[201]

Recalling the commitment of States to the Programme of Action as the main framework for measures within the activities of the international community to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

Underlining the need for States to enhance their efforts to build national capacity for the effective implementation of the Programme of Action and the International Tracing Instrument,

Welcoming the efforts by Member States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action,

Bearing in mind the importance of regular national reporting, which could greatly facilitate the rendering of international cooperation and assistance to affected States,

Noting the analysis of national reports prepared for the biennial meetings of States to consider the implementation of the Programme of Action by the United Nations Institute for Disarmament Research,

Taking into account the importance of regional approaches to the implementation of the Programme of Action,

Noting with satisfaction regional and subregional efforts being undertaken in support of the implementation of the Programme of Action, and commending the progress that has already been made in this regard, including tackling both supply and demand factors that are relevant to addressing the illicit trade in small arms and light weapons,

Recognizing that illicit brokering in small arms and light weapons is a serious problem that the international community should address urgently,

Recognizing also the efforts undertaken by non-governmental organizations in the provision of assistance to States for the implementation of the Programme of Action,

Welcoming the holding of the third biennial meeting of States to consider the implementation of the Programme of Action in New York, from 14 to 18 July 2008,

Welcoming also the establishment by the United Nations of the Programme of Action Implementation Support System, as well as the initiative by the United Nations Institute for Disarmament Research to develop the database for matching needs and resources,

Taking note of the report of the Secretary-General on the implementation of resolution 62/47,[202]

1. *Underlines* the fact that the issue of the illicit trade in small arms and light weapons in all its aspects requires concerted efforts at the national, regional and international levels to prevent, combat and eradicate the illicit manufacture,

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[200] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[201] A/60/88 and Corr.2, annex; see also decision 60/519.

[202] See A/63/261.

transfer and circulation of small arms and light weapons and that their uncontrolled spread in many regions of the world has a wide range of humanitarian and socio-economic consequences and poses a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels;

2. *Encourages* all initiatives, including those of the United Nations, other international organizations, regional and subregional organizations, non-governmental organizations and civil society, for the successful implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[200] and calls upon all Member States to contribute towards the continued implementation of the Programme of Action at the national, regional and global levels;

3. *Encourages* States to implement the recommendations contained in the report of the Group of Governmental Experts established pursuant to resolution 60/81 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons;[203]

4. *Endorses* the report adopted at the third biennial meeting of States to consider the implementation of the Programme of Action, and encourages all States to implement the measures highlighted in the section of the report entitled "The way forward";[204]

5. *Encourages* all efforts to build national capacity for the effective implementation of the Programme of Action, including those highlighted in the report of the third biennial meeting of States;

6. *Decides* that, in conformity with the follow-up to the Programme of Action, the next biennial meeting of States to consider the national, regional and global implementation of the Programme of Action shall be held in New York for a period of one week, no later than in 2010;

7. *Also decides* that the meeting of States to consider the implementation of the International Tracing Instrument[201] shall be held within the framework of the biennial meeting of States;

8. *Encourages* States to submit their national reports, to the extent possible, by the end of 2009, and for those in a position to do so to use the reporting template prepared by the United Nations Development Programme, and to include therein information on progress made in the implementation of the measures highlighted in the report of the third biennial meeting of States;

9. *Calls upon* all States to implement the International Tracing Instrument by, inter alia, including in their national reports information on the name and contact information of the national points of contact and on national marking practices related to markings used to indicate country of manufacture and/or country of import, as applicable;

10. *Encourages* States, on a voluntary basis, to make increasing use of their national reports as another tool for communicating assistance needs and information on the resources and mechanisms available to address such needs, and encourages States in a position to render such assistance to make use of these national reports;

11. *Stresses* the importance of the early designation of the Chair, and encourages the regional group which will designate the Chair of the fourth biennial meeting of States to nominate the Chair-designate by October 2009;

12. *Encourages* States to identify, in cooperation with the Chair-designate, well in advance of the fourth biennial meeting of States, priority issues or topics of relevance in the illicit trade in small arms and light weapons in all its aspects, including their implementation challenges and opportunities, as well as any follow-up to the third biennial meeting of States;

13. *Decides* to convene an open-ended meeting of governmental experts for a period of one week, no later than in 2011, to address key implementation challenges and opportunities relating to particular issues and themes, including international cooperation and assistance;

14. *Also decides* to convene a conference to review progress made in implementation of the Programme of Action, for a period of two weeks in New York, no later than in 2012;

15. *Encourages* interested States and international, regional and other relevant organizations in a position to do so, to convene regional meetings to consider and advance the implementation of the Programme of Action as well as the International Tracing Instrument;

16. *Emphasizes* the need to facilitate the implementation at the national level of the Programme of Action through the strengthening of national coordination agencies or bodies and institutional infrastructure;

17. *Also emphasizes* the fact that initiatives by the international community with respect to international cooperation and assistance remain essential and complementary to national implementation efforts, as well as to those at the regional and global levels;

18. *Recognizes* the necessity for interested States to develop effective coordination mechanisms, where they do not exist, in order to match the needs of States with existing resources to enhance the implementation of the Programme of Action and to make international cooperation and assistance more effective;

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[203] See A/62/163 and Corr.1.

[204] See A/CONF.192/BMS/2008/3.

19. *Encourages* States to consider, among other mechanisms, the coherent identification of needs, priorities, national plans and programmes that may require international cooperation and assistance from States and regional and international organizations in a position to do so;

20. *Encourages* civil society and relevant organizations to strengthen their cooperation and work with States at the respective national and regional levels to achieve the implementation of the Programme of Action;

21. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "The illicit trade in small arms and light weapons in all its aspects".

RESOLUTION 63/73

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[205] by a recorded vote of 173 to 4, with 6 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Democratic People's Republic of Korea, India, Israel, United States of America

Abstaining: Bhutan, China, Cuba, Iran (Islamic Republic of), Myanmar, Pakistan

63/73. Renewed determination towards the total elimination of nuclear weapons

The General Assembly,

Recalling the need for all States to take further practical steps and effective measures towards the total elimination of nuclear weapons, with a view to achieving a peaceful and safe world free of nuclear weapons, and renewing the determination to do so,

Noting that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under strict and effective international control,

Recalling its resolution 62/37 of 5 December 2007,

Convinced that every effort should be made to avoid nuclear war and nuclear terrorism,

Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[206] as the cornerstone of the international nuclear disarmament and non-proliferation regime, and expressing regret over the lack of agreement on substantive issues at the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as over the elimination of references to nuclear disarmament and non-proliferation in the World Summit Outcome in 2005,[207] the year of the sixtieth anniversary of the atomic bombings in Hiroshima and Nagasaki, Japan,

Recalling the decisions and the resolution of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons[208] and the Final Document of the 2000 Review Conference of the Parties to the Treaty,[209]

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[205] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Australia, Austria, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Eritrea, Finland, Gabon, Germany, Haiti, Iceland, Italy, Japan, Kyrgyzstan, Liechtenstein, Lithuania, Luxembourg, Madagascar, Montenegro, Nepal, Netherlands, Norway, Palau, Papua New Guinea, Paraguay, Peru, Philippines, San Marino, Senegal, Serbia, Seychelles, Slovakia, Slovenia, Spain, Swaziland, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Uganda, Ukraine and United Republic of Tanzania.

[206] United Nations, *Treaty Series*, vol. 729, No. 10485.

[207] See resolution 60/1.

[208] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

[209] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I–III (NPT/CONF.2000/28 (Parts I–IV)).

Recognizing that the enhancement of international peace and security and the promotion of nuclear disarmament are mutually reinforcing,

Reaffirming that further advancement in nuclear disarmament will contribute to consolidating the international regime for nuclear non-proliferation, which is, inter alia, essential to international peace and security,

Taking note of concrete proposals and initiatives on nuclear disarmament, including those put forward or undertaken by nuclear-weapon States, including recently by France and the United Kingdom of Great Britain and Northern Ireland,

Expressing deep concern regarding the growing dangers posed by the proliferation of weapons of mass destruction, inter alia, nuclear weapons, including that caused by proliferation networks,

Recognizing the importance of implementing Security Council resolution 1718 (2006) of 14 October 2006 with regard to the nuclear test proclaimed by the Democratic People's Republic of Korea on 9 October 2006, while taking note of the progress achieved by the Six-Party Talks,

1. *Reaffirms* the importance of all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[206] complying with their obligations under all the articles of the Treaty;

2. *Stresses* the importance of an effective Treaty review process, welcoming the substantive discussions held at the second session of the Preparatory Committee in 2008, and calls upon all States parties to the Treaty to work together to ensure that the third session of the Preparatory Committee, in 2009, is held constructively, in order to facilitate the successful outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

3. *Reaffirms* the importance of the universality of the Treaty, and calls upon States not parties to the Treaty to accede to it as non-nuclear-weapon States without delay and without conditions, and pending their accession to refrain from acts that would defeat the objective and purpose of the Treaty as well as to take practical steps in support of the Treaty;

4. *Encourages* further steps leading to nuclear disarmament, to which all States parties to the Treaty are committed under article VI of the Treaty, including deeper reductions in all types of nuclear weapons, and emphasizes the importance of applying irreversibility and verifiability, as well as increased transparency in a way that promotes international stability and undiminished security for all, in the process of working towards the elimination of nuclear weapons;

5. *Calls upon* all nuclear-weapon States to undertake reductions of nuclear weapons in a transparent manner, and invites all nuclear-weapon States to agree on transparency and confidence-building measures, while noting in this regard the increased transparency recently demonstrated by nuclear-weapon States on their nuclear arsenals, including the current number of their nuclear warheads;

6. *Encourages* the Russian Federation and the United States of America to implement fully the Treaty on Strategic Offensive Reductions,[210] which should serve as a step for further nuclear disarmament, and to undertake nuclear arms reductions beyond those provided for by the Treaty, including through the conclusion of a legally binding successor to the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I),[211] which is due to expire in 2009, while welcoming the progress made by nuclear-weapon States, including the Russian Federation and the United States of America, on nuclear arms reductions;

7. *Encourages* States to continue to pursue efforts, within the framework of international cooperation, contributing to the reduction of nuclear-weapons-related materials;

8. *Calls for* the nuclear-weapon States to further reduce the operational status of nuclear weapons systems in ways that promote international stability and security;

9. *Stresses* the necessity of a diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination, in a way that promotes international stability and based on the principle of undiminished security for all;

10. *Urges* all States that have not yet done so to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty[212] at the earliest opportunity with a view to its early entry into force, stresses the importance of maintaining existing moratoriums on nuclear-weapon test explosions pending the entry into force of the Treaty, and reaffirms the importance of the continued development of the Treaty verification regime, including the international monitoring system, which will be required to provide assurance of compliance with the Treaty;

11. *Calls upon* the Conference on Disarmament to immediately resume its substantive work to its fullest, considering the developments of this year in the Conference;

12. *Emphasizes* the importance of the immediate commencement of negotiations on a fissile material cut-off treaty in the Conference on Disarmament and its early conclusion, and calls upon all nuclear-weapon States and States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to declare moratoriums on the production of fissile material for any nuclear weapons or other nuclear explosive devices pending the entry into force of the Treaty;

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[210] United Nations, *Treaty Series*, vol. 2350, No. 42195.

[211] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

[212] See resolution 50/245.

13. *Calls upon* all States to redouble their efforts to prevent and curb the proliferation of nuclear and other weapons of mass destruction and their means of delivery;

14. *Stresses* the importance of further efforts for non-proliferation, including the universalization of the International Atomic Energy Agency comprehensive safeguards agreements, while also strongly encouraging further works for achieving the universalization of the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards approved by the Board of Governors of the International Atomic Energy Agency on 15 May 1997,[213] and the full implementation of relevant Security Council resolutions, including resolution 1540 (2004) of 28 April 2004;

15. *Encourages* all States to undertake concrete activities to implement, as appropriate, the recommendations contained in the report of the Secretary-General on the United Nations study on disarmament and non-proliferation education, submitted to the General Assembly at its fifty-seventh session,[214] and to voluntarily share information on efforts they have been undertaking to that end;

16. *Encourages* the constructive role played by civil society in promoting nuclear non-proliferation and nuclear disarmament;

17. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Renewed determination towards the total elimination of nuclear weapons".

RESOLUTION 63/74

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/390, para. 28)[215]

63/74. United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

The General Assembly,

Recalling its resolutions 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, with headquarters in Lima,

Recalling also its resolutions 46/37 F of 9 December 1991, 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 52/220 of 22 December 1997, 53/78 F of 4 December 1998, 54/55 F of 1 December 1999, 55/34 E of 20 November 2000, 56/25 E of 29 November 2001, 57/89 of 22 November 2002, 58/60 of 8 December 2003, 59/99 of 3 December 2004, 60/84 of 8 December 2005, 61/92 of 6 December 2006 and 62/49 of 5 December 2007,

Recognizing that the Regional Centre has continued to provide substantive support for the implementation of regional and subregional initiatives and has intensified its contribution to the coordination of United Nations efforts towards peace and disarmament and for the promotion of economic and social development,

Welcoming the report of the Secretary-General,[216] which states, inter alia, that during the period under consideration, the Regional Centre undertook an extensive review of its past and present programme of activities which reaffirmed its identity as a specialized regional centre for the promotion and execution of peace, disarmament and development activities, in accordance with its mandate and in compliance with requests from Member States throughout the Latin American and Caribbean region,

Deeply concerned that, as mentioned in the report of the Secretary-General, in the absence of assessed contributions from the United Nations regular budget, the provision of voluntary financial contributions is of crucial importance for the operation and activities of the Regional Centre, in particular core funding, the lack of which could seriously hinder the Centre's ability to efficiently carry out its mandate and respond to the increasingly diversified and numerous requests from States,

Taking note with interest of the suggestion of the Secretary-General that Member States may wish to consider alternative means of ensuring stable core funding for the Centre,

Recalling the report of the Group of Governmental Experts on the relationship between disarmament and development,[217] referred to in General Assembly resolution 59/78 of 3 December 2004, which is of utmost interest with regard to the role that the Regional Centre plays in promoting the issue in the region in pursuit of its mandate to promote economic and social development related to peace and disarmament,

Noting that security and disarmament issues have always been recognized as significant topics in Latin America and the Caribbean, the first inhabited region in the world to be declared a nuclear-weapon-free zone,

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[213] International Atomic Energy Agency, INFCIRC/540 (Corrected).

[214] A/57/124.

[215] The draft resolution recommended in the report was sponsored in the Committee by Peru (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States).

[216] A/63/157.

[217] See A/59/119.

Welcoming the support provided by the Regional Centre to strengthening the nuclear-weapon-free zone established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco),[218] as well as to promoting and assisting the ratification and implementation of existing multilateral agreements related to weapons of mass destruction and to promoting peace and disarmament education projects during the period under review,

Bearing in mind the important role of the Regional Centre in promoting confidence-building measures, arms control and limitation, disarmament and development at the regional level,

Bearing in mind also the importance of information, research, education and training for peace, disarmament and development in order to achieve understanding and cooperation among States,

Recognizing the need to provide the three United Nations regional centres for peace and disarmament with sufficient financial resources and cooperation for the planning and implementation of their programmes of activities,

1. *Reiterates its strong support* for the role of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in the promotion of United Nations activities at the regional level to strengthen peace, stability, security and development among its member States;

2. *Expresses its satisfaction* for the activities carried out in the last year by the Regional Centre in the areas of peace, disarmament and development, and requests the Centre to take into account the proposals to be submitted by the countries of the region in promoting confidence-building measures, arms control and limitation, transparency, disarmament and development at the regional level;

3. *Requests* the Secretary-General to provide from the regular budget, starting in the biennium 2010–2011, the necessary support to ensure the sustainability of the core activities and operations of the Regional Centre, in order to enable it to carry out its programme of activities in accordance with its mandate;

4. *Expresses its appreciation* for the political support and financial contributions to the Regional Centre, which are essential for its continued operation;

5. *Appeals* to Member States, in particular those within the Latin American and Caribbean region, and to international governmental and non-governmental organizations and foundations to make and to increase voluntary contributions to strengthen the Regional Centre, its programme of activities and the implementation thereof;

6. *Invites* all States of the region to continue to take part in the activities of the Regional Centre, proposing items for inclusion in its programme of activities and making greater and better use of the potential of the Centre to meet the current challenges facing the international community with a view to fulfilling the aims of the Charter of the United Nations in the areas of peace, disarmament and development;

7. *Recognizes* that the Regional Centre has an important role in the promotion and development of regional initiatives agreed upon by the countries of Latin America and the Caribbean in the field of weapons of mass destruction, in particular nuclear weapons, and conventional arms, including small arms and light weapons, as well as in the relationship between disarmament and development;

8. *Encourages* the Regional Centre to further develop activities in all countries of the region in the important area of disarmament and development;

9. *Highlights* the conclusion contained in the report of the Secretary-General to the sixty-first session of the General Assembly, that, through its activities, the Regional Centre has demonstrated its role as a viable regional actor in assisting States in the region to advance the cause of peace, disarmament and development in Latin America and the Caribbean;[219]

10. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean".

RESOLUTION 63/75

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/390, para. 28),[220] by a recorded vote of 121 to 50, with 10 abstentions, as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Ghana, Grenada,

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[218] United Nations, *Treaty Series*, vol. 634, No. 9068.

[219] See A/61/157, para. 49.

[220] The draft resolution recommended in the report was sponsored in the Committee by: Bangladesh, Bhutan, Bolivia, Botswana, Brunei Darussalam, Cambodia, Colombia, Cuba, Democratic Republic of the Congo, Egypt, El Salvador, Fiji, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Myanmar, Nepal, Nicaragua, Philippines, Samoa, Sudan and Viet Nam.

Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Armenia, Azerbaijan, Japan, Kazakhstan, Kyrgyzstan, Marshall Islands, Republic of Korea, Russian Federation, Serbia, Uzbekistan

63/75. Convention on the Prohibition of the Use of Nuclear Weapons

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Bearing in mind the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,[221]

Convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,

Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,

Recalling that paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly[222] states that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Determined to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

Stressing that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons, with a specified framework of time,

Noting with regret that the Conference on Disarmament, during its 2008 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 62/51 of 5 December 2007,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

RESOLUTION 63/76

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/390, para. 28)[223]

63/76. United Nations regional centres for peace and disarmament

The General Assembly,

Recalling its resolutions 60/83 of 8 December 2005, 61/90 of 6 December 2006, and 62/50 of 5 December 2007 regarding the maintenance and revitalization of the three United Nations regional centres for peace and disarmament,

Recalling also the reports of the Secretary-General on the United Nations Regional Centre for Peace and Disarmament in

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[221] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[222] See resolution S-10/2.

[223] The draft resolution recommended in the report was sponsored in the Committee by Fiji, and Indonesia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries).

Africa,[224] the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific[225] and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,[226]

Reaffirming its decision, taken in 1982 at its twelfth special session, to establish the United Nations Disarmament Information Programme, the purpose of which is to inform, educate and generate public understanding and support for the objectives of the United Nations in the field of arms control and disarmament,[227]

Bearing in mind its resolutions 40/151 G of 16 December 1985, 41/60 J of 3 December 1986, 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989 on the regional centres for peace and disarmament in Nepal, Peru and Togo,

Recognizing that the changes that have taken place in the world have created new opportunities as well as posed new challenges for the pursuit of disarmament, and, in this regard, bearing in mind that the regional centres for peace and disarmament can contribute substantially to understanding and cooperation among States in each particular region in the areas of peace, disarmament and development,

Noting that in paragraph 91 of the Final Document of the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana, on 15 and 16 September 2006, the Heads of State or Government emphasized the importance of the United Nations activities at the regional level to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament,[228]

1. *Reiterates* the importance of the United Nations activities at the regional level to advancement in disarmament and to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament;

2. *Reaffirms* that, in order to achieve positive results, it is useful for the three regional centres to carry out dissemination and educational programmes that promote regional peace and security that are aimed at changing basic attitudes with respect to peace and security and disarmament so as to support the achievement of the purposes and principles of the United Nations;

3. *Appeals* to Member States in each region and those that are able to do so, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions to the regional centres in their respective regions to strengthen their activities and initiatives;

4. *Emphasizes* the importance of the activities of the regional disarmament branch of the Office for Disarmament Affairs of the Secretariat;

5. *Requests* the Secretary-General to provide all necessary support, within existing resources, to the regional centres in carrying out their programmes of activities;

6. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "United Nations regional centres for peace and disarmament".

RESOLUTION 63/77

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/390, para. 28)[229]

63/77. United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

The General Assembly,

Recalling its resolutions 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989, by which it established the United Nations Regional Centre for Peace and Disarmament in Asia and renamed it the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, with headquarters in Kathmandu and with the mandate of providing, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources,

Welcoming the relocation of the Regional Centre from New York to Kathmandu in accordance with General Assembly resolution 62/52 of 5 December 2007,

Taking note of the report of the Secretary-General,[230] in which he expresses his belief that in cementing its partnership with States in the Asia-Pacific region and other stakeholders, the Centre will be the primary United Nations regional entity advocating the disarmament and non-proliferation agenda,

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[224] A/63/163.

[225] A/63/178.

[226] A/63/157.

[227] See *Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings*, 1st meeting, paras. 110 and 111.

[228] See A/61/472-S/2006/780, annex I.

[229] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Australia, Bangladesh, Bhutan, China, Fiji, India, Indonesia, Japan, Kazakhstan, Maldives, Micronesia (Federated States of), Mongolia, Myanmar, Nauru, Nepal, New Zealand, Pakistan, Sri Lanka, Thailand and Viet Nam.

[230] A/63/178.

Expressing its appreciation to the Regional Centre for its important work in promoting confidence-building measures through the organization of meetings, conferences and workshops in the region, including conferences held in Sapporo, Japan, from 27 to 29 August 2007 and in Seoul from 5 to 7 December 2007,

Concerned with the report of the Secretary-General, in which he indicates that the Regional Centre urgently needs more core funding for its staffing and operations to allow it to sustain its work and be in a position to respond to the requests for technical assistance from countries of the region,[231]

Appreciating the timely execution by Nepal of its financial commitments for the relocation of the Regional Centre,

1. *Welcomes* the relocation of the Regional Centre for Peace and Disarmament in Asia and the Pacific from New York to Kathmandu and its coming into operation on 18 August 2008;

2. *Expresses its gratitude* to the Government of Nepal for its cooperation and financial support, which allowed the new office of the Regional Centre to be opened in Kathmandu;

3. *Expresses its appreciation* to the Secretary-General and the Office for Disarmament Affairs of the Secretariat for making the necessary preparations with a view to ensuring the physical operation of the Regional Centre from Kathmandu to enable the Centre to function effectively;

4. *Appeals* to Member States, in particular those within the Asia-Pacific region, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions, the only resources of the Regional Centre, to strengthen the programme of activities of the Centre and the implementation thereof;

5. *Requests* the Secretary-General to provide from the regular budget, starting in the biennium 2010–2011, the necessary support to ensure the sustainability of the core activities and operations of the Regional Centre, in order to enable it to carry out its programme of activities in accordance with its mandate;

6. *Also requests* the Secretary-General to continue to provide the necessary support to the Regional Centre for greater achievements and results, within existing resources, until the regular budget is approved;

7. *Reaffirms its strong support* for the role of the Regional Centre in the promotion of United Nations activities at the regional level to strengthen peace, stability and security among its Member States;

8. *Underlines* the importance of the Kathmandu process for the development of the practice of region-wide security and disarmament dialogues;

9. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific".

RESOLUTION 63/78

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/390, para. 28)[232]

63/78. Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa

The General Assembly,

Recalling its previous relevant resolutions, in particular resolution 62/53 of 5 December 2007,

Recalling also the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

Bearing in mind the establishment by the Secretary-General on 28 May 1992 of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

Convinced that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Considering the importance and effectiveness of confidence-building measures taken on the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability and to international peace and security,

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[231] Ibid., para. 25.

[232] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Benin, Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Liberia, Rwanda, Sao Tome and Principe, Sierra Leone and Zimbabwe.

Convinced that development can be achieved only in a climate of peace, security and mutual confidence both within and among States,

Recalling the Brazzaville Declaration on Cooperation for Peace and Security in Central Africa,[233] the Bata Declaration for the Promotion of Lasting Democracy, Peace and Development in Central Africa[234] and the Yaoundé Declaration on Peace, Security and Stability in Central Africa,[235]

Bearing in mind resolutions 1196 (1998) and 1197 (1998), adopted by the Security Council on 16 and 18 September 1998 respectively, following its consideration of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa,[236]

Emphasizing the need to strengthen the capacity for conflict prevention and peacekeeping in Africa, and welcoming the partnership established between the United Nations and the Economic Community of Central African States for that purpose,

1. *Reaffirms its support* for efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease tensions and conflicts in Central Africa and to further peace, stability and sustainable development in the subregion;

2. *Reaffirms* the importance of disarmament, demobilization and reintegration programmes, and encourages the United Nations Peacebuilding Commission to support efforts for the political stabilization and reconstruction of post-conflict countries;

3. *Welcomes* the significant progress made by the States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, under the "Sao Tome Initiative", with respect to the drafting of a legal instrument on the control of small arms and light weapons in Central Africa and of a code of conduct for defence and security forces in Central Africa, in particular the decision by the twenty-seventh ministerial meeting of the Standing Advisory Committee, held in Luanda from 13 to 15 May 2008, to complete the process of drafting the code of conduct with a view to its possible adoption during the twenty-eighth ministerial meeting and the decision to examine during the same meeting a draft text containing elements drawn from relevant legal instruments on small arms and light weapons, and encourages interested countries to provide their financial support for the implementation of these two projects;

4. *Encourages* the States members of the Standing Advisory Committee to continue their efforts to promote peace and security in their subregion;

5. *Also encourages* the States members of the Standing Advisory Committee to continue their efforts to render the early-warning mechanism for Central Africa fully operational as an instrument for analysing and monitoring the political situation in the subregion within the framework of the prevention of crises and armed conflicts, and requests the Secretary-General to provide the necessary assistance for its smooth functioning;

6. *Emphasizes* the importance of providing the States members of the Standing Advisory Committee with the essential support they need to carry out the full programme of activities which they adopted at their ministerial meetings;

7. *Appeals* to the international community to support the efforts undertaken by the States concerned to implement disarmament, demobilization and reintegration programmes;

8. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Refugees to continue their assistance to the countries of Central Africa in tackling the problems of refugees and displaced persons in their territories;

9. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide their full assistance for the proper functioning of the Subregional Centre for Human Rights and Democracy in Central Africa;

10. *Urges* Member States and intergovernmental and non-governmental organizations to support the activities of the Standing Advisory Committee effectively through voluntary contributions to the Trust Fund for the United Nations Standing Advisory Committee on Security Questions in Central Africa;

11. *Requests* the Secretary-General to continue to support the ongoing efforts of the States members of the Standing Advisory Committee, including through provision of the assistance needed to ensure the success of their regular biannual meetings;

12. *Calls upon* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa".

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[233] A/50/474, annex I.

[234] A/53/258-S/1998/763, annex II, appendix I.

[235] A/53/868-S/1999/303, annex II.

[236] A/52/871-S/1998/318.

RESOLUTION 63/79

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/390, para. 28)[237]

63/79. United Nations disarmament fellowship, training and advisory services

The General Assembly,

Having considered the report of the Secretary-General,[238]

Recalling its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly,[239] the first special session devoted to disarmament, to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly,[240] the second special session devoted to disarmament, in which it decided, inter alia, to continue the programme,

Noting that the programme continues to contribute significantly to developing greater awareness of the importance and benefits of disarmament and a better understanding of the concerns of the international community in the field of disarmament and security, as well as to enhancing the knowledge and skills of fellows, allowing them to participate more effectively in efforts in the field of disarmament at all levels,

Noting with satisfaction that the programme has trained a large number of officials from Member States throughout its thirty years of existence, many of whom hold positions of responsibility in the field of disarmament within their own Governments,

Recognizing the need for Member States to take into account gender equality when nominating candidates to the programme,

Recalling all the annual resolutions on the matter since the thirty-seventh session of the General Assembly, in 1982, including resolution 50/71 A of 12 December 1995,

Believing that the forms of assistance available to Member States, in particular to developing countries, under the programme will enhance the capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. *Reaffirms* its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly[240] and the report of the Secretary-General[241] approved by the Assembly in its resolution 33/71 E of 14 December 1978;

2. *Expresses its appreciation* to all Member States and organizations that have consistently supported the programme throughout the years, thereby contributing to its success, in particular to the Governments of Germany and Japan for the continuation of extensive and highly educative study visits for the participants in the programme, to the Government of the People's Republic of China for organizing a study visit for the fellows in the area of disarmament in 2007 and to the Government of Switzerland for organizing a study visit in 2008;

3. *Expresses its appreciation* to the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the James Martin Center for Nonproliferation Studies of the Monterey Institute of International Studies for having organized specific study programmes in the field of disarmament in their respective areas of competence, thereby contributing to the objectives of the programme;

4. *Commends* the Secretary-General for the diligence with which the programme has continued to be carried out;

5. *Requests* the Secretary-General to continue to implement annually the Geneva-based programme within existing resources and to report thereon to the General Assembly at its sixty-fifth session;

6. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "United Nations disarmament fellowship, training and advisory services".

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[237] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Botswana, Brazil, Brunei Darussalam, Bulgaria, Central African Republic, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Malta, Mauritius, Mexico, Montenegro, Morocco, Myanmar, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Palau, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Timor-Leste, Togo, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan and Zimbabwe.

[238] A/63/129.

[239] Resolution S-10/2.

[240] *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9–13, document A/S-12/32.

[241] A/33/305.

RESOLUTION 63/80

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/390, para. 28)[242]

63/80. United Nations Regional Centre for Peace and Disarmament in Africa

The General Assembly,

Mindful of the provisions of Article 11, paragraph 1, of the Charter of the United Nations stipulating that a function of the General Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation,

Recalling its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 J of 30 November 1987 and 43/76 D of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Africa, and its resolutions 46/36 F of 6 December 1991 and 47/52 G of 9 December 1992 on regional disarmament, including confidence-building measures,

Recalling also its resolutions 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 51/46 E of 10 December 1996, 52/220 of 22 December 1997, 53/78 C of 4 December 1998, 54/55 B of 1 December 1999, 55/34 D of 20 November 2000, 56/25 D of 29 November 2001, 57/91 of 22 November 2002, 58/61 of 8 December 2003, 59/101 of 3 December 2004, 60/86 of 8 December 2005, 61/93 of 6 December 2006 and 62/216 of 22 December 2007,

Aware of the role of the Regional Centre in promoting confidence-building and arms-limitation measures at the regional level,

Taking into account the need to establish close cooperation between the Regional Centre and the Peace and Security Council of the African Union, in particular its institutions in the field of peace, disarmament and security, as well as with relevant United Nations bodies and programmes in Africa for greater effectiveness,

Taking note of the report of the Secretary-General,[243] in which he stated that an increase in the Regional Centre's human and operational capacity would enable it to discharge its mandate in full and to respond more effectively to requests for assistance from African States,

Deeply concerned that, as noted in the report of the Secretary-General, despite the decision taken in Khartoum in January 2006 by the Executive Council of the African Union, in which the Council called upon member States to make voluntary contributions to the Regional Centre to maintain its operations, no such funds have been received to ensure its operations,[244]

Recalling that, in its resolution 60/86, it requested the Secretary-General to establish, within existing resources, a consultative mechanism of interested States, in particular African States, for the reorganization of the Regional Centre,

Taking note of the concrete recommendations on the Regional Centre's future work programme, as well as on its staffing and funding, made by the Consultative Mechanism for the Reorganization of the United Nations Regional Centre for Peace and Disarmament in Africa upon the conclusion of its work,[245]

1. *Notes* the implementation of the recommendations of the Consultative Mechanism for the Reorganization of the United Nations Regional Centre for Peace and Disarmament in Africa to fund the Centre's operating costs and three new posts from the regular budget of the Organization;[246]

2. *Notes with appreciation* the efforts of the Regional Centre to align its actions with the priorities identified in the recommendations of the Consultative Mechanism;

3. *Welcomes* the undertaking by the Regional Centre of new initiatives and projects in the fields of security sector reform and practical disarmament measures, as detailed in the report of the Secretary-General;[243]

4. *Urges* all States, as well as international governmental and non-governmental organizations and foundations, to make voluntary contributions to strengthen the programmes and activities of the Regional Centre and facilitate their implementation;

5. *Urges*, in particular, States members of the African Union to make voluntary contributions to the Regional Centre's trust funds in conformity with the decision taken by the Executive Council of the African Union, in Khartoum in January 2006;[244]

6. *Requests* the Secretary-General to facilitate closer cooperation between the Regional Centre and the African Union, in particular in the areas of peace, security and development;

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[242] The draft resolution recommended in the report was sponsored in the Committee by Bosnia and Herzegovina, and Nigeria (on behalf of the States Members of the United Nations that are members of the Group of African States).

[243] A/63/163.

[244] Ibid., para. 32.

[245] See A/62/167.

[246] See resolution 62/216, para. 4.

7. *Also requests* the Secretary-General to continue to provide the necessary support to the Regional Centre for greater achievements and results;

8. *Further requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Africa".

RESOLUTION 63/81

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/390, para. 28)[247]

63/81. United Nations Disarmament Information Programme

The General Assembly,

Recalling its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,[248]

Bearing in mind its resolution 47/53 D of 9 December 1992, in which it decided, inter alia, that the World Disarmament Campaign should be known thereafter as the "United Nations Disarmament Information Programme" and the World Disarmament Campaign Voluntary Trust Fund as the "Voluntary Trust Fund for the United Nations Disarmament Information Programme",

Recalling its resolutions 51/46 A of 10 December 1996, 53/78 E of 4 December 1998, 55/34 A of 20 November 2000, 57/90 of 22 November 2002, 59/103 of 3 December 2004 and 61/95 of 6 December 2006,

Welcoming the report of the Secretary-General,[249]

1. *Welcomes* the launch of the new United Nations Office for Disarmament Affairs website,[250] and invites Member States and other users to make use of its expanded content and specialization;

2. *Commends* the Secretary-General for his efforts to make effective use of the limited resources available to him in disseminating as widely as possible, including by electronic means, information on arms control and disarmament to Governments, the media, non-governmental organizations, educational communities and research institutes, and in carrying out a seminar and conference programme;

3. *Stresses* the importance of the United Nations Disarmament Information Programme as a significant instrument in enabling all Member States to participate fully in the deliberations and negotiations on disarmament in the various United Nations bodies, in assisting them in complying with treaties, as required, and in contributing to agreed mechanisms for transparency;

4. *Commends with satisfaction* the launch of *The United Nations Disarmament Yearbook* for 2007, with new format and content, as well as its online edition, by the United Nations Office for Disarmament Affairs;

5. *Notes with appreciation* the cooperation of the Department of Public Information of the Secretariat and its information centres in pursuit of the objectives of the Programme;

6. *Recommends* that the Programme continue to inform, educate and generate public understanding of the importance of multilateral action and support for it, including action by the United Nations and the Conference on Disarmament, in the field of arms control and disarmament, in a factual, balanced and objective manner, and that it focus its efforts:

(*a*) To continue to publish in all official languages *The United Nations Disarmament Yearbook*, the flagship publication of the United Nations Office for Disarmament Affairs;

(*b*) To continue to maintain the disarmament website as a part of the United Nations website and to produce versions of the site in as many official languages as feasible;

(*c*) To continue to intensify United Nations interaction with the public, principally non-governmental organizations and research institutes, to help further an informed debate on topical issues of arms limitation, disarmament and security;

(*d*) To continue to organize discussions on topics of interest in the field of arms limitation and disarmament with a view to broadening understanding and facilitating an exchange of views and information among Member States and civil society;

7. *Recognizes* the importance of all support extended to the Voluntary Trust Fund for the United Nations Disarmament Information Programme, and invites once again all Member States to make further contributions to the Fund with a view to sustaining a strong outreach programme;

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[247] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Fiji, Guatemala, Haiti, Honduras, Mexico, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, South Africa, Spain, the former Yugoslav Republic of Macedonia, Trinidad and Tobago and Uruguay.

[248] See *Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings*, 1st meeting, paras. 110 and 111.

[249] A/63/162.

[250] http://www.un.org/disarmament.

8. *Takes note* of the recommendations contained in the report of the Secretary-General,[251] which reviews the implementation of the recommendations made in the 2002 study on disarmament and non-proliferation education;[252]

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report covering both the implementation of the activities of the Programme by the United Nations system during the previous two years and the activities of the Programme contemplated by the system for the following two years;

10. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "United Nations Disarmament Information Programme".

RESOLUTION 63/82

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/391, para. 11)[253]

63/82. Report of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament,[254]

Convinced that the Conference on Disarmament, as the sole multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

Recognizing the need to conduct multilateral negotiations with the aim of reaching agreement on concrete issues,

Recalling, in this respect, that the Conference has a number of urgent and important issues for negotiation,

Taking note of active discussions held on the programme of work during the 2008 session of the Conference, as duly reflected in the report and the records of the plenary meetings,

Taking note also of the increased deliberations of the Conference due to the constructive contribution of its member States, the work done under the authority of the 2008 Presidents of the Conference, including focused structured debates on all substantive agenda items and with the participation of experts from capitals, and the cooperation among the Presidents of the Conference,

Taking note further of significant contributions made during the 2008 session to promote substantive discussions on issues on the agenda, as well as of discussions held on other issues that could also be relevant to the current international security environment,

Stressing the urgent need for the Conference to commence its substantive work at the beginning of its 2009 session,

Recognizing the address by the Secretary-General of the United Nations, as well as the addresses by Ministers for Foreign Affairs and other high-level officials, as expressions of support for the endeavours of the Conference and its role as the sole multilateral disarmament negotiating forum,

Bearing in mind the importance of efforts towards revitalization of the disarmament machinery, including the Conference,

Recognizing the importance of continuing consultations on the question of the expansion of the Conference membership,

1. *Reaffirms* the role of the Conference on Disarmament as the sole multilateral disarmament negotiating forum of the international community;

2. *Calls upon* the Conference to further intensify consultations and explore possibilities with a view to reaching an agreement on a programme of work;

3. *Takes note* of the strong collective interest of the Conference to build on the increased level and focus of its activities through 2008 and to commence substantive work as soon as possible during its 2009 session;

4. *Welcomes* the decision of the Conference to request its current President and the incoming President to conduct consultations during the intersessional period and, if possible, to make recommendations, taking into account all relevant proposals, past, present and future, including those submitted as documents of the Conference, views presented and discussions held, and to endeavour to keep the membership of the Conference informed, as appropriate, of their consultations, as contained in paragraph 53 of its report;[254]

5. *Requests* all States members of the Conference to cooperate with the current President and successive Presidents in their efforts to guide the Conference to the early commencement of substantive work in its 2009 session;

6. *Requests* the Secretary-General to continue to ensure the provision to the Conference of adequate administrative, substantive and conference support services;

7. *Requests* the Conference to submit a report on its work to the General Assembly at its sixty-fourth session;

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[251] A/63/158 and Add.1.

[252] A/57/124.

[253] The draft resolution recommended in the report was sponsored in the Committee by: Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela (Bolivarian Republic of).

[254] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 27* (A/63/27).

8. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Report of the Conference on Disarmament".

RESOLUTION 63/83

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/391, para. 11)[255]

63/83. Report of the Disarmament Commission

The General Assembly,

Having considered the report of the Disarmament Commission,[256]

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994, 50/72 D of 12 December 1995, 51/47 B of 10 December 1996, 52/40 B of 9 December 1997, 53/79 A of 4 December 1998, 54/56 A of 1 December 1999, 55/35 C of 20 November 2000, 56/26 A of 29 November 2001, 57/95 of 22 November 2002, 58/67 of 8 December 2003, 59/105 of 3 December 2004, 60/91 of 8 December 2005, 61/98 of 6 December 2006 and 62/54 of 5 December 2007,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

1. *Takes note* of the report of the Disarmament Commission;[256]

2. *Reaffirms* the validity of its decision 52/492 of 8 September 1998, concerning the efficient functioning of the Disarmament Commission;

3. *Recalls* its resolution 61/98, by which it adopted additional measures for improving the effectiveness of the Commission's methods of work;

4. *Reaffirms* the mandate of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

5. *Also reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament;

6. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly,[257] and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";[258]

7. *Recommends* that the Disarmament Commission include in the agenda of its 2009 substantive session an item entitled "Elements of a draft declaration of the 2010s as the fourth disarmament decade", in accordance with resolution 61/67;

8. *Also recommends* that the Disarmament Commission intensify consultations with a view to reaching agreement on the remaining agenda items, in accordance with decision 52/492, before the start of its substantive session of 2009;

9. *Requests* the Disarmament Commission to meet for a period not exceeding three weeks during 2009, namely from 13 April to 1 May, and to submit a substantive report to the General Assembly at its sixty-fourth session;

10. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament,[259] together with all the official records of the sixty-third session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

11. *Also requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

12. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Report of the Disarmament Commission".

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[255] The draft resolution recommended in the report was sponsored in the Committee by the Netherlands (on behalf of the members of the extended Bureau of the Disarmament Commission: Armenia, Benin, Brazil, Cameroon, Croatia, France, Guatemala, Netherlands, Peru, Philippines and Uzbekistan).

[256] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 42* (A/63/42).

[257] Resolution S-10/2.

[258] A/CN.10/137.

[259] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 27* (A/63/27).

RESOLUTION 63/84

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/392, para. 7),[260] by a recorded vote of 169 to 5, with 6 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Australia, Cameroon, Canada, Ethiopia, India, Tonga

63/84. The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind its relevant resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(52)/RES/15, adopted on 4 October 2008,[261]

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Mindful of the immediate need for placing all nuclear facilities in the region of the Middle East under full-scope safeguards of the Agency,

Recalling the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,[262] in which the Conference urged universal adherence to the Treaty[263] as an urgent priority and called upon all States not yet parties to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Recognizing with satisfaction that, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference undertook to make determined efforts towards the achievement of the goal of universality of the Treaty, called upon those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept Agency safeguards on all their nuclear activities, and underlined the necessity of universal adherence to the Treaty and of strict compliance by all parties with their obligations under the Treaty,[264]

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference on 11 May 1995,[262] in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope Agency safeguards,

Noting that Israel remains the only State in the Middle East that has not yet become party to the Treaty,

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[260] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen and Palestine.

[261] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Fifty-second Regular Session, 29 September–4 October 2008* (GC(52)/RES/DEC(2008)).

[262] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

[263] United Nations, *Treaty Series*, vol. 729, No. 10485.

[264] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article IX".

Concerned about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region,

Stressing the importance of taking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

Emphasizing the need for all parties directly concerned to seriously consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, inviting the countries concerned to adhere to the Treaty and, pending the establishment of the zone, to agree to place all their nuclear activities under Agency safeguards,

Noting that one hundred and eighty States have signed the Comprehensive Nuclear-Test-Ban Treaty,[265] including a number of States in the region,

1. *Welcomes* the conclusions on the Middle East of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;[266]

2. *Reaffirms* the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons[263] and placement of all its nuclear facilities under comprehensive International Atomic Energy Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East;

3. *Calls upon* that State to accede to the Treaty without further delay and not to develop, produce, test or otherwise acquire nuclear weapons, and to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

4. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "The risk of nuclear proliferation in the Middle East".

RESOLUTION 63/85

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/393, para. 8)[267]

63/85. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 62/57 of 5 December 2007,

Recalling with satisfaction the adoption and the entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[268] and its amended article 1,[269] and the Protocol on Non-Detectable Fragments (Protocol I),[268] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[268] and its amended version,[270] the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),[268] the Protocol on Blinding Laser Weapons (Protocol IV)[271] and the Protocol on Explosive Remnants of War (Protocol V),[272]

Welcoming the results of the Third Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Welcoming also the results of the 2007 Meeting of the High Contracting Parties to the Convention, held from 7 to 13 November 2007 in Geneva,

Welcoming further the results of the Ninth Annual Conference of the High Contracting Parties to Amended Protocol II, held on 6 November 2007 in Geneva,

Welcoming the results of the First Conference of the High Contracting Parties to Protocol V, held on 5 November 2007 in Geneva,

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto, and welcoming the particular efforts of various international, non-governmental and other organizations in raising awareness of the humanitarian consequences of explosive remnants of war,

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[265] See resolution 50/245.

[266] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VII and the security of non-nuclear-weapon States", para. 16.

[267] The draft resolution recommended in the report was sponsored in the Committee by: Greece, Jordan, Netherlands and Sweden.

[268] United Nations, *Treaty Series*, vol. 1342, No. 22495.

[269] See CCW/CONF.II/2 and Corr.1, part II.

[270] CCW/CONF.I/16 (Part I), annex B.

[271] Ibid., annex A.

[272] See CCW/MSP/2003/3, annex V, appendix II.

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects[268] and the Protocols thereto, as amended, with a view to achieving the widest possible adherence to these instruments at an early date, and so as to ultimately achieve their universality;

2. *Calls upon* all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;

3. *Emphasizes* the importance of the universalization of the Protocol on Explosive Remnants of War (Protocol V);[272]

4. *Welcomes* the additional ratifications and acceptances of or accessions to the Convention, as well as the consents to be bound by the Protocols thereto;

5. *Also welcomes* the adoption by the Third Review Conference of a Plan of Action to promote universality of the Convention and its annexed Protocols,[273] and expresses appreciation for the continued efforts of the Secretary-General, as depositary of the Convention and its annexed Protocols, the Chairperson of the Meeting of the High Contracting Parties to the Convention, the President of the First Conference of the High Contracting Parties to Protocol V and the President of the Ninth Annual Conference of the High Contracting Parties to Amended Protocol II, on behalf of the High Contracting Parties, to achieve the goal of universality;

6. *Further welcomes* the commitment by States parties to continue to address the humanitarian problems caused by certain specific types of munitions in all their aspects, including cluster munitions, with a view to minimizing the humanitarian impact of these munitions;

7. *Expresses support* for the work conducted by the Group of Governmental Experts to negotiate a proposal to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations, and to make every effort to negotiate this proposal as rapidly as possible and report on the progress made to the next Meeting of the High Contracting Parties, in November 2008;

8. *Welcomes* the commitment of States parties to the Protocol on Explosive Remnants of War (Protocol V) to the effective and efficient implementation of the Protocol and the decisions by the First Conference of the High Contracting Parties establishing a comprehensive framework for exchange of information and cooperation,[274] and also welcomes the holding of the first Meeting of Experts as a mechanism for consultation and cooperation among the States parties;

9. *Notes with appreciation* that 2008 marks the twenty-fifth anniversary of the entry into force of the Convention, as well as the tenth anniversary of the entry into force of the Amended Protocol II;

10. *Notes* that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by existing Protocols or to review the scope and application of the Convention and the Protocols thereto and to examine any proposed amendments or additional protocols;

11. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Second Conference of the High Contracting Parties to Protocol V, to be held on 10 and 11 November 2008, for the Tenth Annual Conference of the High Contracting Parties to Amended Protocol II, to be held on 12 November 2008, and for the Meeting of the High Contracting Parties to the Convention, to be held on 13 and 14 November 2008, as well as for any continuation of work after the meetings;

12. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention, its amended article 1[269] and the Protocols thereto;

13. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

RESOLUTION 63/86

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/394, para. 7)[275]

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[273] See CCW/CONF.III/11 (Part II), annex III.

[274] See CCW/P.V/CONF/2007/1 and Corr.1 and 2.

[275] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jordan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Morocco, Netherlands, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland and Yemen.

63/86. Strengthening of security and cooperation in the Mediterranean region

The General Assembly,

Recalling its previous resolutions on the subject, including resolution 62/58 of 5 December 2007,

Reaffirming the primary role of the Mediterranean countries in strengthening and promoting peace, security and cooperation in the Mediterranean region,

Welcoming the efforts deployed by the Euro-Mediterranean countries to strengthen their cooperation in combating terrorism, in particular by the adoption of the Euro-Mediterranean Code of Conduct on Countering Terrorism by the Euro Mediterranean Summit, held in Barcelona, Spain, on 27 and 28 November 2005,

Bearing in mind all the previous declarations and commitments, as well as all the initiatives taken by the riparian countries at the recent summits, ministerial meetings and various forums concerning the question of the Mediterranean region,

Welcoming, in this regard, the adoption on 13 July 2008 of the joint Declaration of the Paris Summit, which launched a reinforced partnership, "the Barcelona Process: Union for the Mediterranean", and the common political will to revive efforts to transform the Mediterranean into an area of peace, democracy, cooperation and prosperity,

Recognizing the indivisible character of security in the Mediterranean and that the enhancement of cooperation among Mediterranean countries with a view to promoting the economic and social development of all peoples of the region will contribute significantly to stability, peace and security in the region,

Recognizing also the efforts made so far and the determination of the Mediterranean countries to intensify the process of dialogue and consultations with a view to resolving the problems existing in the Mediterranean region and to eliminating the causes of tension and the consequent threat to peace and security, and their growing awareness of the need for further joint efforts to strengthen economic, social, cultural and environmental cooperation in the region,

Recognizing further that prospects for closer Euro-Mediterranean cooperation in all spheres can be enhanced by positive developments worldwide, in particular in Europe, in the Maghreb and in the Middle East,

Reaffirming the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respecting the purposes and principles of the Charter of the United Nations as well as the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[276]

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Expressing its concern at the persistent tension and continuing military activities in parts of the Mediterranean that hinder efforts to strengthen security and cooperation in the region,

Taking note of the report of the Secretary-General,[277]

1. *Reaffirms* that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. *Expresses its satisfaction* at the continuing efforts by Mediterranean countries to contribute actively to the elimination of all causes of tension in the region and to the promotion of just and lasting solutions to the persistent problems of the region through peaceful means, thus ensuring the withdrawal of foreign forces of occupation and respecting the sovereignty, independence and territorial integrity of all countries of the Mediterranean and the right of peoples to self-determination, and therefore calls for full adherence to the principles of non-interference, non-intervention, non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter and the relevant resolutions of the United Nations;

3. *Commends* the Mediterranean countries for their efforts in meeting common challenges through coordinated overall responses, based on a spirit of multilateral partnership, towards the general objective of turning the Mediterranean basin into an area of dialogue, exchanges and cooperation, guaranteeing peace, stability and prosperity, encourages them to strengthen such efforts through, inter alia, a lasting multilateral and action-oriented cooperative dialogue among States of the region, and recognizes the role of the United Nations in promoting regional and international peace and security;

4. *Recognizes* that the elimination of the economic and social disparities in levels of development and other obstacles as well as respect and greater understanding among cultures in the Mediterranean area will contribute to enhancing peace, security and cooperation among Mediterranean countries through the existing forums;

5. *Calls upon* all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament

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[276] Resolution 2625 (XXV), annex.

[277] A/63/138.

and non-proliferation, thus creating the necessary conditions for strengthening peace and cooperation in the region;

6. *Encourages* all States of the region to favour the necessary conditions for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, by participating, inter alia, in the United Nations system for the standardized reporting of military expenditures and by providing accurate data and information to the United Nations Register of Conventional Arms;[278]

7. *Encourages* the Mediterranean countries to strengthen further their cooperation in combating terrorism in all its forms and manifestations, including the possible resort by terrorists to weapons of mass destruction, taking into account the relevant resolutions of the United Nations, and in combating international crime and illicit arms transfers and illicit drug production, consumption and trafficking, which pose a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation and which jeopardize friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society;

8. *Requests* the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region;

9. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Strengthening of security and cooperation in the Mediterranean region".

RESOLUTION 63/87

Adopted at the 61st plenary meeting, on 2 December 2008, on the recommendation of the Committee (A/63/395, para. 7),[279] by a recorded vote of 175 to 1, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: India, Mauritius, Syrian Arab Republic

63/87. Comprehensive Nuclear-Test-Ban Treaty

The General Assembly,

Reiterating that the cessation of nuclear-weapon test explosions or any other nuclear explosions constitutes an effective nuclear disarmament and non-proliferation measure, and convinced that this is a meaningful step in the realization of a systematic process to achieve nuclear disarmament,

Recalling that the Comprehensive Nuclear-Test-Ban Treaty, adopted by its resolution 50/245 of 10 September 1996, was opened for signature on 24 September 1996,

Stressing that a universal and effectively verifiable Treaty constitutes a fundamental instrument in the field of nuclear disarmament and non-proliferation and that after more than ten years, its entry into force is more urgent than ever before,

Encouraged by the signing of the Treaty by one hundred and eighty States, including forty-one of the forty-four needed for its entry into force, and welcoming the ratification of one hundred and forty-five States, including thirty-five of the forty-four needed for its entry into force, among which there are three nuclear-weapon States,

Recalling its resolution 62/59 of 5 December 2007,

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[278] See resolution 46/36 L.

[279] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, China, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

Welcoming the Joint Ministerial Statement on the Comprehensive Nuclear-Test-Ban Treaty, adopted at the Ministerial Meeting held in New York on 24 September 2008,

1. *Stresses* the vital importance and urgency of signature and ratification, without delay and without conditions, to achieve the earliest entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

2. *Welcomes* the contributions by the States signatories to the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, in particular its efforts to ensure that the Treaty's verification regime will be capable of meeting the verification requirements of the Treaty upon its entry into force, in accordance with article IV of the Treaty;

3. *Underlines* the need to maintain momentum towards completion of all elements of the verification regime;

4. *Urges* all States not to carry out nuclear-weapon test explosions or any other nuclear explosions, to maintain their moratoriums in this regard and to refrain from acts that would defeat the object and purpose of the Treaty, while stressing that these measures do not have the same permanent and legally binding effect as the entry into force of the Treaty;

5. *Calls for* the verifiable denuclearization of the Korean Peninsula in a peaceful manner through the successful implementation of the Joint Statement of 19 September 2005, and the initial and second-phase actions to implement it, agreed upon in the framework of the Six-Party Talks;

6. *Urges* all States that have not yet signed the Treaty to sign and ratify it as soon as possible;

7. *Urges* all States that have signed but not yet ratified the Treaty, in particular those whose ratification is needed for its entry into force, to accelerate their ratification processes with a view to ensuring their earliest successful conclusion;

8. *Welcomes* the ratification of the Treaty in 2008 by Colombia, Barbados, Malaysia and Burundi, as well as the signature in 2008 by Iraq and Timor-Leste, as significant steps towards the early entry into force of the Treaty;

9. *Urges* all States to remain seized of the issue at the highest political level and, where in a position to do so, to promote adherence to the Treaty through bilateral and joint outreach, seminars and other means;

10. *Requests* the Secretary-General, in consultation with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, to prepare a report on the efforts of States that have ratified the Treaty towards its universalization and possibilities for providing assistance on ratification procedures to States that so request it, and to submit such a report to the General Assembly at its sixty-fourth session;

11. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Comprehensive Nuclear-Test-Ban Treaty".

RESOLUTION 63/88

Adopted at the 61st plenary meeting, on 2 December 2008, without a vote, on the recommendation of the Committee (A/63/396, para. 8)[280]

63/88. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and sixty-two States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[281] including all of the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention,[282] and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Welcoming the reaffirmation made in the Final Declaration of the Fourth Review Conference[283] that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

Recalling the decision reached at the Sixth Review Conference to hold four annual meetings of the States parties of one week's duration each year commencing in 2007, prior to the Seventh Review Conference, which is to be held no later than the end of 2011, and to hold a one-week meeting of experts to prepare for each meeting of the States parties,[284]

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[280] The draft resolution recommended in the report was sponsored in the Committee by Hungary.

[281] United Nations, *Treaty Series*, vol. 1015, No. 14860.

[282] BWC/CONF.III/23, part II.

[283] BWC/CONF.IV/9, part II.

1. *Notes with satisfaction* the increase in the number of States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[281] reaffirms the call upon all signatory States that have not yet ratified the Convention to do so without delay, and calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

2. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;[282]

3. *Also welcomes* the successful launching of the 2007–2010 intersessional process, and in this context further welcomes the discussion aimed at the promotion of common understanding and effective action on topics agreed on at the Sixth Review Conference,[285] and urges States parties to continue to participate actively in the intersessional process;

4. *Notes with satisfaction* that the Sixth Review Conference agreed on several measures to update the mechanism for the transmission of information in the framework of the confidence-building measures;

5. *Recalls* the decisions reached at the Sixth Review Conference,[286] and calls upon States parties to the Convention to participate in their implementation;

6. *Urges* States parties to continue to work closely with the Implementation Support Unit of the Conference on Disarmament Secretariat and Conference Support Branch of the Office for Disarmament Affairs in fulfilling its mandate, in accordance with the decision of the Sixth Review Conference;

7. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, including all assistance to the annual meetings of the States parties and the meetings of experts;

8. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

RESOLUTION 63/240

Adopted at the 74th plenary meeting, on 24 December 2008, on the recommendation of the Committee (A/63/389, para. 86),[287] by a recorded vote of 133 to 1, with 19 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Zambia, Zimbabwe

Against: United States of America

Abstaining: Bahrain, Belarus, China, Egypt, India, Iran (Islamic Republic of), Iraq, Israel, Kuwait, Libyan Arab Jamahiriya, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sudan, Syrian Arab Republic, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen

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[284] BWC/CONF.VI/6, part III, para. 7.

[285] BWC/CONF.VI/6.

[286] Ibid., part III, paras. 1 and 7.

[287] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bangladesh, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritania, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay and Zambia.

63/240. Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations, and reaffirming its respect for and commitment to international law,

Recalling its resolutions 46/36 L of 9 December 1991, 51/45 N of 10 December 1996, 51/47 B of 10 December 1996, 56/24 V of 24 December 2001, 60/69 and 60/82 of 8 December 2005, and 61/89 of 6 December 2006,

Recognizing that arms control, disarmament and non-proliferation are essential for the maintenance of international peace and security,

Reaffirming the inherent right of all States to individual or collective self-defence in accordance with Article 51 of the Charter,

Acknowledging the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs, and in order to participate in peace support operations,

Recalling the obligations of all States to fully comply with arms embargoes decided by the Security Council in accordance with the Charter,

Reaffirming its respect for international law, including international human rights law and international humanitarian law, and the Charter,

Taking note of and encouraging relevant initiatives, undertaken at the international, regional and subregional levels between States, including those of the United Nations, and of the role played by non-governmental organizations and civil society, to enhance cooperation, improve information exchange and transparency and implement confidence-building measures in the field of responsible arms trade,

Recognizing that the absence of common international standards for the import, export and transfer of conventional arms is one of the contributory factors to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable social and economic development,

Acknowledging the growing support across many regions for concluding a legally binding instrument negotiated on a non-discriminatory, transparent and multilateral basis, to establish common international standards for the import, export and transfer of conventional arms, including through regional and subregional workshops and seminars held in order to discuss the initiative launched by the General Assembly in its resolution 61/89,

Taking due note of the views expressed by Member States on the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, submitted to the Secretary-General at his request,[288]

Welcoming the report of the Secretary-General, prepared with the assistance of the Group of Governmental Experts,[289] which states that, in view of the complexity of the issues of conventional arms transfers, further consideration of efforts within the United Nations to address the international trade in conventional arms is required on a step-by-step basis in an open and transparent manner to achieve, on the basis of consensus, a balance that will provide benefit to all, with the principles of the Charter of the United Nations at the centre of such efforts,

Determined to prevent the diversion of conventional arms, including small arms and light weapons, from the legal to the illicit market,

1. *Endorses* the report of the Secretary-General[289] prepared with the assistance of the Group of Governmental Experts, taking into account the views of Member States;[288]

2. *Encourages* all States to implement and address, on a national basis, the relevant recommendations contained in paragraphs 28 and 29 of the report of the Secretary-General, and commends all States to carefully consider how to achieve such implementation in order to ensure that their national systems and internal controls are at the highest possible standards to prevent the diversion of conventional arms from the legal to the illicit market, where they can be used for terrorist acts, organized crime and other criminal activities, and further calls upon those States in a position to do so to render assistance in this regard upon request;

3. *Decides*, in order to facilitate further consideration on the implementation of the relevant recommendation contained in paragraph 27 of the report of the Secretary-General on a step-by-step basis among all States Members of the United Nations, in an open and transparent manner, to establish an open-ended working group, to meet for up to six one-week sessions starting in 2009, of which the two sessions foreseen in 2009 will be held in New York, from 2 to 6 March and 13 to 17 July, respectively;

4. *Decides also* that the open-ended working group will hold a one-day organizational session in New York by 27 February 2009 in order to agree on the organizational arrangements connected with the working group, including the dates and venues for its future substantive sessions;

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[288] See A/62/278 (Parts I and II) and Add.1–4.

[289] See A/63/334.

5. *Decides further* that the open-ended working group will, during 2009, further consider those elements in the report of the Group of Governmental Experts[289] where consensus could be developed for their inclusion in an eventual legally binding treaty on the import, export and transfer of conventional arms which provides a balance giving benefit to all, with the principles of the Charter of the United Nations and other existing international obligations at the centre of such considerations, and transmit an initial report from the working group to the General Assembly for consideration at its sixty-fourth session;

6. *Requests* the Secretary-General to transmit the replies of Member States and the report of the Group of Governmental Experts to the open-ended working group and to render the working group all necessary assistance, including the provision of essential background information and relevant documents;

7. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms".

III. Resolutions adopted on the reports of the Special Political and Decolonization Committee (Fourth Committee)

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RESOLUTION 63/89

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/398, para. 9)[1]

63/89. Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 62/100 of 17 December 2007, in which, inter alia, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the work of the Scientific Committee, and of the release of its report on its fifty-sixth session,[2]

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment, and conscious also of the increased volume, complexity and diversity of that information,

Noting the views expressed by Member States at its sixty-third session with regard to the work of the Scientific Committee,

Recalling the deep concern of the Scientific Committee expressed in the report on its fifty-sixth session that reliance on a single post at the Professional level in its secretariat had left the Committee seriously vulnerable and had hampered the efficient implementation of its approved programme of work,[3] and noting that a solution to this concern has not yet been achieved,

Recalling also its request at its sixty-second session that the Secretary-General provide a comprehensive and consolidated report, to be prepared in consultation with the Scientific Committee as appropriate, addressing the financial and administrative implications of increased Committee membership, staffing of the professional secretariat and methods to ensure sufficient, assured and predictable funding,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past fifty-three years, since its inception, to wider knowledge and understanding of the levels, effects and risks of ionizing radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Takes note with appreciation* of the work of the Scientific Committee and of the release of its extensive report to the General Assembly,[2] with scientific annexes, which provide the scientific and world community with the Committee's latest evaluations;

4. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources;

5. *Endorses* the future programme of work of scientific review and assessment of the Scientific Committee on behalf of the General Assembly on assessments of levels of radiation from energy production and the effects on human health and the environment, uncertainty in radiation risk estimation, attributability of health effects due to radiation exposure, updating its methodology for estimating exposures due to discharges from nuclear installations, a summary of radiation effects and improving data collection, analysis and dissemination, notes with concern that the Committee cannot initiate work immediately on topics which make up half of the entire programme due to the lack of resources within the professional secretariat, and endorses the longer-term strategic plan of the Committee for its work, as reported to the Assembly at its sixty-third session;

6. *Requests* the Scientific Committee to continue at its next session the review of the important questions in the field of ionizing radiation and to report thereon to the General Assembly at its sixty-fourth session;

7. *Emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States;

8. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their cooperation in this field;

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Argentina, Armenia, Australia, Austria, Belarus, Belgium, Brunei Darussalam, Canada, China, Costa Rica, Czech Republic, Finland, France, Greece, Guatemala, Japan, Kazakhstan, Lithuania, Mexico, Monaco, Pakistan, Peru, Poland, Russian Federation, Singapore, Slovakia, Spain, Switzerland, Thailand, Ukraine and United Kingdom of Great Britain and Northern Ireland.

[2] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 46* (A/63/46).

[3] Ibid., para. 11.

9. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports, and requests the Secretariat to facilitate such consultations;

10. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of ionizing radiation in affected areas, and invites the Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

11. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly;

12. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

13. *Urges* the United Nations Environment Programme to review and strengthen the present funding of the Scientific Committee, pursuant to paragraph 14 of resolution 62/100, and to continue to seek out and consider temporary funding mechanisms to complement existing ones, and, in that context, takes note of the establishment by the Executive Director of the United Nations Environment Programme of a general trust fund to receive and manage voluntary contributions to support the work of the Committee, and encourages Member States to consider making voluntary contributions to the trust fund;

14. *Takes note* of the comprehensive report of the Secretary-General,[4] prepared in consultation with the Scientific Committee as appropriate, on the financial and administrative implications of increased membership of the Committee, staffing of its professional secretariat and methods to ensure sufficient, assured and predictable funding;

15. *Recognizes* the conclusion, outlined in paragraph 48 of the report of the Secretary-General, on the need for strengthened human resources for the professional, scientific secretariat in order to support the Scientific Committee in a more predictable and sustainable manner with a longer-term perspective, to effectively facilitate the use of the invaluable expertise offered to the Committee by its members, and to enable the Committee to discharge the responsibilities and mandate entrusted to it by the General Assembly, and emphasizes in this context that these resources are needed in any case and before Member States can agree to a change in Committee membership;

16. *Requests* the Secretary-General, in formulating his proposed programme budget for the biennium 2010–2011, to consider all options, including the possibility of internal reallocation, to provide the Scientific Committee with the resources outlined in paragraphs 48 and 50 of the report of the Secretary-General;

17. *Directs* the Scientific Committee to continue its reflection on how the current, as well as a potentially revised, membership for the Scientific Committee could best support the essential work of the Committee, including by developing detailed, objective and transparent criteria to be applied equitably to present and future members alike, and to report on these efforts before the end of the sixty-third session of the General Assembly;

18. *Welcomes* the attendance of Belarus, Finland, Pakistan, the Republic of Korea, Spain and Ukraine as observers at the fifty-sixth session of the Scientific Committee, invites each of those States to designate one scientist to attend, as observers, the fifty-seventh session of the Committee, and resolves to take a decision on full membership for these countries once a decision on resource allocation has been made, pursuant to paragraph 16 above, but no later than the end of the sixty-fourth session of the General Assembly.

RESOLUTION 63/90

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/399, para. 11)[5]

63/90. International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999, 59/2 of 20 October 2004, 61/110 and 61/111 of 14 December 2006, 62/101 of 17 December 2007 and 62/217 of 22 December 2007,

Deeply convinced of the common interest of mankind in promoting and expanding the exploration and use of outer space, as the province of all mankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

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[4] A/63/478.

[5] The draft resolution recommended in the report was introduced in the Committee by the representative of Colombia (on behalf of the Working Group of the Whole on International Cooperation in the Peaceful Uses of Outer Space).

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty),[6]

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further developing the legal framework to strengthen international cooperation in this field,

Convinced of the importance of the recommendations in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development", adopted by the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held at Vienna from 19 to 30 July 1999,[7] and the need to promote the use of space technology towards implementing the United Nations Millennium Declaration,[8]

Seriously concerned about the devastating impact of disasters,[9]

Desirous of enhancing international coordination and cooperation at the global level in disaster management and emergency response through greater access to and use of space-based services for all countries and facilitating capacity-building and institutional strengthening for disaster management, in particular in developing countries,

Deeply convinced that the use of space science and technology and their applications in such areas as telemedicine, tele-education, disaster management, environmental protection and other Earth observation applications contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, particularly poverty eradication,

Taking note, in that regard, of the fact that the 2005 World Summit recognized the important role that science and technology play in promoting sustainable development,[10]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-first session,[11]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-first session;[11]

2. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space[12] to give consideration to ratifying or acceding to those treaties in accordance with their domestic law, as well as incorporating them in their national legislation;

3. *Notes* that, at its forty-seventh session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work,[13] as mandated by the General Assembly in its resolution 62/217;

4. *Endorses* the recommendation of the Committee[14] that the Legal Subcommittee, at its forty-eighth session, taking into account the concerns of all countries, in particular those of developing countries:

(*a*) Consider the following as regular agenda items:

(i) General exchange of views;

(ii) Status and application of the five United Nations treaties on outer space;

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[6] United Nations, *Treaty Series*, vol. 610, No. 8843.

[7] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19–30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

[8] See resolution 55/2.

[9] The term "disasters" refers to natural or technological disasters.

[10] See resolution 60/1, para. 60.

[11] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 20* (A/63/20).

[12] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 610, No. 8843); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 672, No. 9574); Convention on International Liability for Damage Caused by Space Objects (United Nations, *Treaty Series*, vol. 961, No. 13810); Convention on Registration of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 1023, No. 15020); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 1363, No. 23002).

[13] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 20* (A/63/20), chap. II.D.

[14] Ibid., paras. 219–225.

(iii) Information on the activities of international intergovernmental and non-governmental organizations relating to space law;

(iv) Matters relating to:

a. The definition and delimitation of outer space;

b. The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(*b*) Consider the following single issues/items for discussion:

(i) Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[15]

(ii) Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment;

(iii) Capacity-building in space law;

(iv) General exchange of information on national mechanisms relating to space debris mitigation measures;

(*c*) Consider the general exchange of information on national legislation relevant to the peaceful exploration and use of outer space in accordance with the workplan adopted by the Committee;

5. *Notes* that the Legal Subcommittee, at its forty-eighth session, will submit its proposals to the Committee for new items to be considered by the Subcommittee at its forty-ninth session, in 2010;

6. *Also notes* that, in the context of paragraph 4 (*a*) (ii) above, the Legal Subcommittee, at its forty-eighth session, will reconvene its Working Group on the Status and Application of the Five United Nations Treaties on Outer Space;

7. *Further notes* that, in the context of paragraph 4 (*a*) (iv) a. above, the Legal Subcommittee will reconvene its Working Group on Matters Relating to the Definition and Delimitation of Outer Space;

8. *Notes* that, in the context of paragraph 4 (*c*) above, the Legal Subcommittee will establish a working group to consider this item in accordance with the multi-year workplan agreed by the Subcommittee at its forty-sixth session and endorsed by the Committee at its fiftieth session;[16]

9. *Also notes* that the Scientific and Technical Subcommittee, at its forty-fifth session, continued its work[17] as mandated by the General Assembly in its resolution 62/217;

10. *Endorses* the recommendation of the Committee[18] that the Scientific and Technical Subcommittee, at its forty-sixth session, taking into account the concerns of all countries, in particular those of developing countries:

(*a*) Consider the following items:

(i) General exchange of views and introduction to reports submitted on national activities;

(ii) United Nations Programme on Space Applications;

(iii) Implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III);

(iv) Matters relating to remote sensing of the Earth by satellite, including applications for developing countries and monitoring of the Earth's environment;

(v) Space debris;

(vi) Space-system-based disaster management support;

(vii) Recent developments in global navigation satellite systems;

(*b*) Consider the following items in accordance with the workplans adopted by the Committee:[19]

(i) Use of nuclear power sources in outer space;

(ii) Near-Earth objects;

(*c*) Consider the following single issues/items for discussion:

(i) Examination of the physical nature and technical attributes of the geostationary orbit and its utilization and applications, including in the field of space communications, as well as other questions relating to developments in space communications, taking particular account of the needs and interests of developing countries;

(ii) International Heliophysical Year 2007;

11. *Notes* that the Scientific and Technical Subcommittee, at its forty-sixth session, will submit its proposal to the Committee for a draft provisional agenda for the forty-seventh session of the Subcommittee, in 2010;

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[15] See resolution 47/68.

[16] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20* (A/62/20), para. 219; and A/AC.105/891, para. 136.

[17] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 20* (A/63/20), chap. II.C.

[18] Ibid., paras. 163–166.

[19] See A/AC.105/890, annex II, para. 7, for item (i) and A/AC.105/911, annex III, para. 11, for item (ii).

12. *Endorses* the agreement of the Committee, at its fifty-first session, that the topic for the 2009 symposium, to be organized by the International Astronautical Federation, would be "The role of Earth observation satellites in promoting understanding of and addressing climate change concerns" and that the symposium should be held during the first week of the forty-sixth session of the Subcommittee;[20]

13. *Agrees* that, in the context of paragraphs 10 (*a*) (ii), (iii), (vi) and 11 above, the Scientific and Technical Subcommittee, at its forty-sixth session, should reconvene the Working Group of the Whole;

14. *Also agrees* that, in the context of paragraph 10 (*b*) (i) above, the Scientific and Technical Subcommittee, at its forty-sixth session, should reconvene its Working Group on the Use of Nuclear Power Sources in Outer Space and that the Working Group should continue its work on the topics described in the multi-year workplan as agreed by the Subcommittee at its forty-fourth session and the Committee at its fiftieth session;[21]

15. *Further agrees* that, in the context of paragraph 10 (*b*) (ii) above, the Scientific and Technical Subcommittee, at its forty-sixth session, should reconvene its Working Group on Near-Earth Objects, in accordance with the workplan under this item;[22]

16. *Endorses* the United Nations Programme on Space Applications for 2009, as proposed to the Committee by the Expert on Space Applications and endorsed by the Committee;[23]

17. *Recognizes* that, in accordance with paragraph 30 of its resolution 50/27 of 6 December 1995, the African regional centres for space science and technology education, in the French language and in the English language, located in Morocco and Nigeria, respectively, as well as the Centre for Space Science and Technology Education in Asia and the Pacific and the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean, entered into an affiliation agreement with the Office for Outer Space Affairs of the Secretariat and have continued their education programmes in 2008;

18. *Agrees* that the regional centres referred to in paragraph 17 above should continue to report to the Committee on their activities on an annual basis;

19. *Notes with satisfaction* the contribution being made by the Scientific and Technical Subcommittee and the efforts of Member States and the Office for Outer Space Affairs to promote and support the activities being organized within the framework of the International Heliophysical Year 2007;

20. *Recognizes* that the second African Leadership Conference on Space Science and Technology for Sustainable Development was held in Pretoria from 2 to 5 October 2007, with a focus on capacity-building, knowledge-sharing and the joint participation of African countries in mutually beneficial projects in the area of space science and technology for sustainable development, and that the third African Leadership Conference will be held in Algeria in 2009;

21. *Also recognizes* the preparations being undertaken for the Sixth Space Conference of the Americas, and that in this regard the pro tempore secretariat of the Fifth Space Conference of the Americas, established by the Government of Ecuador, organized a meeting in Quito, on 13 and 14 December 2007, with representatives of the Governments of Colombia, Ecuador and Guatemala, the International Group of Experts of the Space Conferences of the Americas and the Office for Outer Space Affairs, which resulted a set of recommendations for the preparation of the Sixth Conference, and that a second meeting with representatives of the pro tempore secretariat, the International Group of Experts and the Office for Outer Space Affairs was held in the Galapagos Islands, Ecuador, on 28 and 29 August 2008, following a regional seminar on space law, held in Quito on 26 and 27 August 2008;

22. *Further recognizes* the important role played by these conferences and other initiatives in building regional and international partnerships among States, such as the International Air and Space Fair, held in Santiago from 31 March to 6 April 2008, during which a conference was organized on space technology and climate change in relation to achieving the Millennium Development Goals, and the ongoing preparations for the fifteenth session of the Asia-Pacific Regional Space Agency Forum, to be held in Hanoi and Ha Long Bay, Viet Nam, from 10 to 12 December 2008;

23. *Welcomes* the collaboration between the Government of Thailand, the Office for Outer Space Affairs, the European Space Agency and the Asian Society of International Law, in organizing the United Nations workshop on space law, to be held in Bangkok in 2009, on the theme "Activities of States in outer space in the light of new developments: meeting international responsibilities and establishing national legal and policy frameworks", which will serve as a forum for representatives, experts and other stakeholders from various countries to share expertise and experiences in space law;

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[20] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 20* (A/63/20), para. 164; and A/AC.105/911, annex I, para. 28.

[21] See A/AC.105/890, annex II, para. 7; and *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20* (A/62/20), para. 133.

[22] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 20* (A/63/20), para. 153; and A/AC.105/911, annex III, para. 11.

[23] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 20* (A/63/20), paras. 71 and 77; and A/AC.105/900, paras. 2–8, and annex III.

24. *Emphasizes* that regional and interregional cooperation in the field of space activities is essential to strengthen the peaceful uses of outer space, assist States in the development of their space capabilities and contribute to the achievement of the goals of the United Nations Millennium Declaration;[8]

25. *Notes with appreciation* that some States are already implementing space debris mitigation measures on a voluntary basis, through national mechanisms and consistent with the Space Debris Mitigation Guidelines of the Inter-Agency Space Debris Coordination Committee and with the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space,[24] endorsed by the General Assembly in its resolution 62/217;

26. *Invites* other Member States to implement, through relevant national mechanisms, the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space;[24]

27. *Considers* that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

28. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

29. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, including mitigation of the consequences of disasters, in particular in the developing countries;

30. *Notes* that space science and technology and their applications could make important contributions to economic, social and cultural development and welfare, as indicated in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development",[7] its resolution 59/2 of 20 October 2004 and the Plan of Action of the Committee on the Peaceful Uses of Outer Space on the implementation of the recommendations of UNISPACE III;[25]

31. *Notes with appreciation* that a number of the recommendations, as set out in the Plan of Action on the implementation of the recommendations of UNISPACE III,[25] have been implemented and that satisfactory progress is being made in implementing the outstanding recommendations;

32. *Reiterates* that the benefits of space technology and its applications should continue to be brought to the attention, in particular, of the major United Nations conferences and summits for economic, social and cultural development and related fields and that the use of space technology should be promoted towards achieving the objectives of those conferences and summits and for implementing the United Nations Millennium Declaration;

33. *Notes with satisfaction* that the panel on space applications and food security, comprising the Chairman of the Committee on the Peaceful Uses of Outer Space and representatives of the Division for Sustainable Development of the Department of Economic and Social Affairs of the Secretariat, the International Institute for Applied Systems Analysis and the Food and Agriculture Organization of the United Nations, held a discussion at United Nations Headquarters on 13 October 2008;

34. *Welcomes* the increased efforts to strengthen further the Inter-Agency Meeting on Outer Space Activities as the central United Nations mechanism for building partnerships and coordinating space-related activities within the framework of the ongoing reforms in the United Nations system to work in unison and deliver as one, and encourages entities of the United Nations system to participate fully in the work of the Inter-Agency Meeting;

35. *Urges* entities of the United Nations system, particularly those participating in the Inter-Agency Meeting on Outer Space Activities, to continue to examine, in cooperation with the Committee, how space science and technology and their applications could contribute to implementing the United Nations Millennium Declaration on the development agenda, particularly in the areas relating to, inter alia, food security and increasing opportunities for education;

36. *Invites* the Inter-Agency Meeting on Outer Space Activities to continue to contribute to the work of the Committee and to report to the Committee on the work conducted at its annual sessions;

37. *Notes with satisfaction* that the open informal meetings, held in conjunction with the annual sessions of the Inter-Agency Meeting on Outer Space Activities and in which representatives of member States and observers in the

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[24] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20* (A/62/20), paras. 117 and 118, and annex.

[25] See A/59/174, sect. VI.B.

Committee participate, provide a constructive mechanism for an active dialogue between the entities of the United Nations system and member States and observers in the Committee;

38. *Encourages* the United Nations University and other scientific institutions to explore the possibilities of providing training and policy research at the crossroads of international law, climate change and outer space;

39. *Notes with satisfaction* the progress made within the framework of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) in the implementation of the platform programme for the period 2007–2009,[26] including inaugurating and making fully operational the UN-SPIDER office in Bonn, Germany;

40. *Notes* that, in accordance with paragraph 11 of its resolution 61/110, the UN-SPIDER programme should work closely with regional and national centres of expertise in the use of space technology in disaster management to form a network of regional support offices for implementing the activities of the programme in their respective regions in a coordinated manner, and agrees with the guidelines proposed by the Committee for selecting and setting up the proposed UN-SPIDER regional support offices;[27]

41. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its sixty-fourth session, and agrees that during its consideration of the matter the Committee could continue to consider ways to promote regional and interregional cooperation based on experiences stemming from the Space Conferences of the Americas, the African Leadership Conferences on Space Science and Technology for Sustainable Development and the role space technology could play in the implementation of recommendations of the World Summit on Sustainable Development;

42. *Notes with satisfaction* that the Committee established a closer link between its work to implement the recommendations of UNISPACE III and the work of the Commission on Sustainable Development by contributing to the thematic areas that are addressed by the Commission,[28] and agrees that the Director of the Division for Sustainable Development of the Department of Economic and Social Affairs should continue to be invited to participate in the sessions of the Committee to inform it how it could best contribute to the work of the Commission and that the Director of the Office for Outer Space Affairs should continue to participate in the sessions of the Commission to raise awareness and promote the benefits of space science and technology for sustainable development;

43. *Notes with appreciation* that the International Committee on Global Navigation Satellite Systems was established on a voluntary basis as a forum to promote cooperation, as appropriate, on matters of mutual interest to its members related to civil satellite-based positioning, navigation, timing and value-added services, as well as cooperation on the compatibility and interoperability of global navigation satellite systems, and to promote their use to support sustainable development, particularly in developing countries; that it held its first meeting in Vienna on 1 and 2 November 2006 and its second meeting in Bangalore, India, from 4 to 7 September 2007; that it will hold its third meeting in Pasadena, United States of America, from 8 to 12 December 2008; and that its fourth meeting will be held in the Russian Federation in 2009;

44. *Notes* the fact that the Office for Outer Space Affairs could integrate into its programme of work a number of actions identified for implementation by the Office contained in the Plan of Action of the Committee on the Peaceful Uses of Outer Space for the implementation of the recommendations of UNISPACE III[29] and that some of those actions could be integrated into its programme of work only if additional staff and financial resources were to be provided;[30]

45. *Urges* all Member States to contribute to the Trust Fund for the United Nations Programme on Space Applications to enhance the capacity of the Office for Outer Space Affairs to provide technical and legal advisory services and initiate pilot projects in accordance with the Plan of Action of the Committee, while maintaining the priority thematic areas agreed by the Committee;

46. *Agrees* that the Committee should continue to consider a report on the activities of the International Satellite System for Search and Rescue as a part of its consideration of the United Nations Programme on Space Applications under the agenda item entitled "Report of the Scientific and Technical Subcommittee", and invites Member States to report on their activities regarding the system;

47. *Requests* the Committee to continue to consider, at its fifty-second session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

48. *Also requests* the Committee, in view of the importance of space and education, to continue to consider, at its fifty-second session, under its agenda item entitled "Space and society", the special theme for the focus of discussions

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[26] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20* (A/62/20), para. 144.

[27] Ibid., *Sixty-third Session, Supplement No. 20* (A/63/20), para. 129.

[28] See A/AC.105/872 and A/AC.105/892.

[29] See A/AC.105/L.262.

[30] Ibid., annex, para. 6.

"Space and education", in accordance with the workplan adopted by the Committee;[31]

49. *Agrees* that the Committee should continue to consider, at its fifty-second session, its agenda item entitled "Space and water";

50. *Also agrees* that the Committee should continue to consider, at its fifty-second session, its agenda item entitled "International cooperation in promoting the use of space-derived geospatial data for sustainable development", in accordance with the multi-year workplan adopted by the Committee;[32]

51. *Further agrees* that two new items entitled "Space and climate change" and "Use of space technology in the United Nations system" should be included in the agenda of the Committee at its fifty-second session;

52. *Agrees* that the Committee should continue to consider, at its fifty-second session, under its agenda item entitled "Other matters", the issue of its future role and activities;

53. *Notes* that in accordance with the agreement reached by the Committee at its forty-sixth session on the measures relating to the future composition of the bureaux of the Committee and its subsidiary bodies,[33] on the basis of the measures relating to the working methods of the Committee and its subsidiary bodies,[34] the Group of Asian States, the Group of Latin American and Caribbean States and the Group of Western European and Other States have nominated their candidates for the offices of Chair of the Legal Subcommittee, Second Vice-Chairman/Rapporteur of the Committee and Chair of the Scientific and Technical Subcommittee, respectively, for the period 2010–2011;[35]

54. *Urges* the Group of African States and the Group of Eastern European States to nominate their candidates for the office of First Vice Chair of the Committee and Chair of the Committee, respectively, for the period 2010–2011;

55. *Endorses* the decision of the Committee to grant permanent observer status to the European Organisation for Astronomical Research in the Southern Hemisphere, the European Telecommunications Satellite Organization, the International Institute of Space Law, the Prince Sultan Bin Abdulaziz International Prize for Water and the Secure World Foundation;[36]

56. *Notes* that each of the regional groups has the responsibility for actively promoting the participation in the work of the Committee and its subsidiary bodies of the member States of the Committee that are also members of the respective regional groups, and agrees that the regional groups should consider this Committee-related matter among their members;

57. *Requests* entities of the United Nations system and other international organizations to continue and, where appropriate, to enhance their cooperation with the Committee and to provide it with reports on the issues dealt with in the work of the Committee and its subsidiary bodies.

RESOLUTION 63/91

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/400, para. 16),[37] by a recorded vote of 173 to 1, with 6 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal,

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[31] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 239; and ibid., *Sixty-third Session, Supplement No. 20* (A/63/20), paras. 235 and 255.

[32] *Official Records of the General Assembly, Sixty-first Session, Supplement No.* 20 (A/61/20), paras. 301–303; and ibid., *Sixty-third Session, Supplement No. 20* (A/63/20), paras. 266 and 277.

[33] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, paras. 4–9.

[34] Ibid., *Fifty-second Session, Supplement No. 20* (A/52/20), annex I; and ibid., *Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, appendix III.

[35] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 20* (A/63/20), paras. 283–285.

[36] Ibid., paras. 308 and 309.

[37] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Austria, Bahrain, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Comoros, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Morocco, Netherlands, Nicaragua, Nigeria, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Yemen and Palestine.

Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel

Abstaining: Cameroon, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

63/91. Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 62/102 of 17 December 2007,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that, for six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for fifty-nine years since its establishment in ameliorating the plight of the Palestine refugees through its provision of education, health, relief and social services and emergency assistance,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2007,[38]

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

Expressing grave concern in particular at the humanitarian situation in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements[39] on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,

Aware of the role to be played by the Multilateral Working Group on Refugees of the Middle East peace process,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2009;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the continuing deterioration of the socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Decides* to commemorate the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East on the occasion of the sixtieth anniversary of its

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[38] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 13* (A/63/13).

[39] A/48/486-S/26560, annex.

establishment at a high-level meeting to be convened on 1 October 2009, during the sixty-fourth session of the General Assembly, and encourages the participation of Member States at the ministerial level;

6. *Decides also* to invite Finland and Ireland, in accordance with the criterion set forth in General Assembly decision 60/522 of 8 December 2005, to become members of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

RESOLUTION 63/92

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/400, para. 16),[40] by a recorded vote of 172 to 6, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Canada

63/92. Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 62/103 of 17 December 2007,[41]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2007,[42]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[43] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[43] on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the

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[40] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

[41] A/63/315.

[42] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 13* (A/63/13).

[43] A/48/486-S/26560, annex.

Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-fourth session on the progress made with regard to the implementation of the present resolution.

RESOLUTION 63/93

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/400, para. 16),[44] by a recorded vote of 172 to 6, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon

63/93. Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 62/104 of 17 December 2007,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2007,[45]

Taking note of the letter dated 11 June 2008 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[46]

Deeply concerned about the critical financial situation of the Agency, as well as about its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[47]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[48]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[49] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, resulting, inter alia, from the loss of life and injury, the extensive destruction of their shelters, properties and vital infrastructure, the displacement of the Palestine refugees, the prolonged closures and socio-economic decline,

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[44] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

[45] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 13* (A/63/13).

[46] Ibid., pp. vii–ix.

[47] Resolution 22 A (I).

[48] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[49] Ibid., vol. 75, No. 973.

Aware of the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of damaged or destroyed refugee shelters and for the provision of shelter and emergency aid for those refugee families internally displaced as a result of Israeli military actions, as well as for those refugees affected and displaced by the crisis in the Nahr el-Bared refugee camp in northern Lebanon, and welcoming the efforts of the Government of Lebanon and the international community to support the rebuilding by the Agency of the Nahr el-Bared camp,

Welcoming, in this regard, the pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008, and urging the early fulfilment of pledges as well as a rapid response by donors to the additional relief and recovery appeal for the Nahr el-Bared camp launched by the Agency on 11 September 2008,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage caused to the facilities of the Agency, in particular as a result of Israeli military operations during the reporting period,

Deploring the killing of nineteen Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Also deploring the killing and wounding of refugee children, including in the Agency's schools, by the Israeli occupying forces,

Expressing deep concern about the gravely negative impact of the continuing closures, the imposition of severe restrictions on the movement of persons and goods, and the construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, on the socio-economic situation of the Palestine refugees,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[50]

1. *Reaffirms* that the functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions during the past year;

3. *Expresses its appreciation also* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

4. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[51] and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

5. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2008–2009[52] and in its comprehensive, three-year organizational development plan;

6. *Requests* the Secretary-General to support the institutional strengthening of the Agency through the provision of sufficient financial resources from the regular budget of the United Nations;

7. *Endorses*, meanwhile, the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Occupied Palestinian Territory and Lebanon;

8. *Acknowledges* the important support provided by the host Governments to the Agency in the discharge of its duties;

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[50] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[51] A/63/375.

[52] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 13A* (A/62/13/Add.1).

9. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children and women in its operations in accordance with the Convention on the Rights of the Child[53] and the Convention on the Elimination of All Forms of Discrimination against Women,[54] respectively;

10. *Expresses concern* about the continuing relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

11. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[49]

12. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[47] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

13. *Urges* the Government of Israel to speedily compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side and to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained by the Agency as a result of delays and restrictions on movement and access imposed by Israel;

14. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

15. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

16. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in her report to the General Assembly at its sixty-fourth session;

17. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

18. *Reiterates its appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

19. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

RESOLUTION 63/94

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/400, para. 16),[55] by a recorded vote of 173 to 6, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian

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[53] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[54] Ibid., vol. 1249, No. 20378.

[55] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Austria, Bahrain, Bangladesh, Belgium, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Comoros, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Morocco, Netherlands, Nicaragua, Nigeria, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Yemen and Palestine.

Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Vanuatu

63/94. Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 62/105 of 17 December 2007,[56] as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2007 to 31 August 2008,[57]

Recalling that the Universal Declaration of Human Rights[58] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[59] and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[60] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/95

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/401, para. 16),[61] by a recorded vote of 94 to 8, with 73 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Cambodia, Central African Republic, Chile, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali,

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[56] A/63/269.

[57] See A/63/317.

[58] Resolution 217 A (III).

[59] *Official Records of the General Assembly, Nineteenth Session, Annexes,* Annex No. 11, document A/5700.

[60] A/48/486-S/26560, annex.

[61] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Andorra, Argentina, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cameroon, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay

63/95. Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[62] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[63] and the International Covenants on Human Rights,[64]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 62/106 of 17 December 2007, and the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Recalling also the relevant resolutions of the Security Council,

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[65] and recalling in this regard General Assembly resolution ES-10/15 of 20 July 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuing detrimental impact of the events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries, the widespread destruction of property and vital infrastructure and the internal displacement of civilians,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[66] and the relevant reports of the Secretary-General,[67]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[68] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Expressing the hope that the Israeli occupation will be brought to an early and complete end and that therefore the violation of the human rights of the Palestinian people will cease, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;[66]

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of unlawful Israeli

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[62] United Nations, *Treaty Series*, vol. 75, No. 973.

[63] Resolution 217 A (III).

[64] See resolution 2200 A (XXI), annex.

[65] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[66] See A/63/273.

[67] A/63/482-484, 518 and 519.

[68] A/48/486-S/26560, annex.

practices and measures, and especially condemns all illegal Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[62] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of the thousands of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(*a*) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(*e*) To report to the General Assembly at its sixty-fourth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

RESOLUTION 63/96

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/401, para. 16),[69] by a recorded vote of 173 to 6, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon

63/96. Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including its resolution 62/107 of 17 December 2007,

Bearing in mind the relevant resolutions of the Security Council,

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[69] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

Recalling the Regulations annexed to the Hague Convention IV of 1907,[70] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[71] and relevant provisions of customary law, including those codified in Additional Protocol I,[72] to the four Geneva Conventions,[73]

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[74] and the relevant reports of the Secretary-General,[75]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[76] and also recalling General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the Fourth Geneva Convention[71] is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Recalling the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, held on 15 July 1999, as well as the Declaration adopted by the reconvened Conference on 5 December 2001 and the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[71] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions[73] and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,[76] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/97

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/401, para. 16),[77] by a recorded vote of 171 to 6, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal,

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[70] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[71] United Nations, *Treaty Series*, vol. 75, No. 973.

[72] Ibid., vol. 1125, No. 17512.

[73] Ibid., vol. 75, Nos. 970-973.

[74] See A/63/273.

[75] A/63/482-484, 518 and 519.

[76] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[77] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Côte d'Ivoire

63/97. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 62/108 of 17 December 2007, as well as those resolutions adopted at its tenth emergency special session,

Recalling also relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[78] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention[78] and relevant provisions of customary law, including those codified in Additional Protocol I[79] to the four Geneva Conventions,[80]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[81] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[82]

Taking note of the recent report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[83]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[84] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[85] and noting specifically its call for a freeze on all settlement activity,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other actions against the Palestinian civilian population that are contrary to international law,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, and concerned particularly about Israel's construction and expansion of settlements in and around Occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate Occupied East Jerusalem, and in the Jordan Valley,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socio-economic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory, and could prejudge future negotiations and make the two-State solution physically impossible to implement,

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[78] United Nations, *Treaty Series*, vol. 75, No. 973.

[79] Ibid., vol. 1125, No. 17512.

[80] Ibid., vol. 75, Nos. 970-973.

[81] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[82] See A/ES-10/273 and Corr.1, advisory opinion, para. 120; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[83] See A/63/326.

[84] A/48/486-S/26560, annex.

[85] S/2003/529, annex.

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploring settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the rising incidents of violence by illegal armed Israeli settlers in the Occupied Palestinian Territory against Palestinian civilians and their properties and agricultural lands,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Taking note of the relevant reports of the Secretary-General,[86]

Taking note also of the special meeting of the Security Council convened on 26 September 2008,

1. *Reaffirms* that the Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[78] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map[85] and the need for the parties to speedily resolve all remaining issues in the Gaza Strip;

4. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

5. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of the relevant Security Council resolutions, including resolution 465 (1980);

6. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;[81]

7. *Reiterates its calls for* the prevention of all acts of violence and harassment by Israeli settlers, especially against Palestinian civilians and their properties and agricultural lands, and stresses the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/98

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/401, para. 16),[87] by a recorded vote of 165 to 8, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand,

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[86] A/63/482-484, 518 and 519; see also A/63/273.

[87] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Côte d'Ivoire, El Salvador, Honduras

63/98. Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,[88]

Recalling also the International Covenant on Civil and Political Rights,[89] the International Covenant on Economic, Social and Cultural Rights[89] and the Convention on the Rights of the Child,[90] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 62/109 of 17 December 2007, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[91] and the report of the Secretary-General,[92]

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[93]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[94] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[95] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[95] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[96]

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

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[88] Resolution 217 A (III).

[89] See resolution 2200 A (XXI), annex.

[90] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[91] See A/63/273.

[92] A/63/518.

[93] A/HRC/7/17; see also A/63/326.

[94] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[95] United Nations, *Treaty Series*, vol. 75, No. 973.

[96] S/2003/529, annex.

Gravely concerned about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Expressing deep concern about the continuing deterioration in the humanitarian and security situation in the Gaza Strip, including that resulting from the Israeli military actions against civilian areas, and the prolonged closure of crossings into and out of the Gaza Strip, as well as from the firing of rockets into Israel and the negative impact of the events of June 2007 leading to the unlawful takeover of Palestinian Authority institutions in the Gaza Strip,

Expressing deep concern also about the vast destruction caused by the Israeli occupying forces to Palestinian homes, properties, vital infrastructure, agricultural lands and institutions of the Palestinian Authority, and expressing deep concern about the short- and long-term detrimental impact of such destruction on the socio-economic and humanitarian conditions and human rights of the Palestinian civilian population,

Expressing deep concern further about the Israeli policy of closures, severe restrictions, and a permit regime that obstruct the freedom of movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and the negative impact on their socio-economic situation, which remains that of a dire humanitarian crisis, particularly in the Gaza Strip,

Concerned in particular about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and undermining efforts and aid aimed at rehabilitating and developing the Palestinian economy, adversely affecting other aspects of the socio-economic conditions of the Palestinian people,

Expressing deep concern that thousands of Palestinians, including hundreds of children and women, continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressing concern about the ill treatment and harassment of any Palestinian prisoners and all reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties implement the agreements reached, and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[95] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including extrajudicial executions, and that it respect human rights law and comply with its legal obligations in this regard;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[95] and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people;

4. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, which have caused extensive loss of life and vast numbers of injuries, including among children, massive destruction of homes, properties, agricultural lands and vital infrastructure, and internal displacement of civilians;

5. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

6. *Notes* the Israeli withdrawal in 2005 from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;[96]

7. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

8. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the

International Court of Justice[94] and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

9. *Reiterates* the need for respect for the unity and territorial contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, and to and from the outside world;

10. *Calls upon* Israel, the occupying Power, to cease its imposition of closures and restrictions on movement, and, in this regard, to implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005;

11. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation, particularly in the Gaza Strip;

12. *Emphasizes* the need to preserve the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/99

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/401, para. 16),[97] by a recorded vote of 171 to 1, with 7 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel

Abstaining: Cameroon, Côte d'Ivoire, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

63/99. The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[98]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 62/110 of 17 December 2007,

Having considered the report of the Secretary-General submitted in pursuance of resolution 62/110,[99]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

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[97] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

[98] See A/63/273.

[99] A/63/482.

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[100] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[100] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTIONS 63/100 A and B

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/403, para. 14)[101]

63/100. Questions relating to information

A

INFORMATION IN THE SERVICE OF HUMANITY

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,[102]

Also taking note of the report of the Secretary-General on questions relating to information,[103]

Urges all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources and their free access to information, and recognizing the call in this context for what in the United Nations and at various international forums has been termed "a new world information and communication order, seen as an evolving and continuous process":

(*a*) To cooperate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communications infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communications policies freely and independently and increase the participation of media and individuals in the communication process, and to ensure a free flow of information at all levels;

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[100] United Nations, *Treaty Series*, vol. 75, No. 973.

[101] The draft resolutions recommended in the report of the Fourth Committee were submitted by the Committee on Information.

[102] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 21* (A/63/21).

[103] A/63/258.

(*b*) To ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(*c*) To provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

(*d*) To enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communications capacities and to improve the media infrastructure and communications technology in the developing countries, especially in the areas of training and dissemination of information;

(*e*) To aim at, in addition to bilateral cooperation, providing all possible support and assistance to the developing countries and their media, public, private or other, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

(i) The development of the human and technical resources that are indispensable for the improvement of information and communications systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;

(ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communications technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;

(iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;

(iv) The facilitation, as appropriate, of access by the developing countries to advanced communications technology available on the open market;

(*f*) To provide full support for the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cultural Organization,[104] which should support both public and private media.

B

UNITED NATIONS PUBLIC INFORMATION POLICIES AND ACTIVITIES

The General Assembly,

Emphasizing the role of the Committee on Information as its main subsidiary body mandated to make recommendations to it relating to the work of the Department of Public Information of the Secretariat,

Reaffirming its resolution 13 (I) of 13 February 1946, establishing the Department of Public Information, which states in paragraph 2 of annex I that "the activities of the Department should be so organized and directed as to promote to the greatest possible extent an informed understanding of the work and purposes of the United Nations among the peoples of the world",

Emphasizing that the contents of public information and communications should be placed at the heart of the strategic management of the United Nations and that a culture of communications and transparency should permeate all levels of the Organization, as a means of fully informing the peoples of the world of the aims and activities of the United Nations, in accordance with the purposes and principles enshrined in the Charter of the United Nations, in order to create broad-based global support for the United Nations,

Stressing that the primary mission of the Department of Public Information is to provide, through its outreach activities, accurate, impartial, comprehensive, timely and relevant information to the public on the tasks and responsibilities of the United Nations in order to strengthen international support for the activities of the Organization with the greatest transparency,

Recalling the comprehensive review of the work of the Department of Public Information, requested by the General Assembly in its resolution 56/253 of 24 December 2001, as well as the report of the Secretary-General entitled "Strengthening of the United Nations: an agenda for further change"[105] and Assembly resolutions 57/300 of 20 December 2002 and 60/109 B of 8 December 2005, which provided an opportunity to take due steps to enhance the efficiency and effectiveness of the Department and to maximize the use of its resources,

Expressing its concern that the gap in information and communications technology between the developed and the developing countries has continued to widen and that vast segments of the population in developing countries are not benefiting from the present information and communications technologies, and, in this regard, underlining the necessity of rectifying the imbalances in the present development of information and communications technologies in order to make it more just, equitable and effective,

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[104] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session, Belgrade, 23 September–28 October 1980*, vol. I, *Resolutions*, sect. III.4, resolution 4/21.

[105] A/57/387 and Corr.1.

Recognizing that developments in information and communications technologies open vast new opportunities for economic growth and social development and can play an important role in the eradication of poverty in developing countries, and, at the same time, emphasizing that the development of these technologies poses challenges and risks and could lead to the further widening of disparities between and within countries,

Recalling its resolution 61/266 of 16 May 2007 on multilingualism, and emphasizing the importance of making appropriate use of the official languages of the United Nations in the activities of the Department of Public Information, with the aim of eliminating the disparity between the use of English and the five other official languages,

Welcoming Antigua and Barbuda and Zambia to membership in the Committee on Information,

I

Introduction

1. *Reaffirms* its resolution 13 (I), in which it established the Department of Public Information, and all other relevant resolutions of the General Assembly related to the activities of the Department, and requests the Secretary-General, in respect of the public information policies and activities of the United Nations, to continue to implement fully the recommendations contained in paragraph 2 of its resolution 48/44 B of 10 December 1993 and other mandates as established by the General Assembly;

2. *Also reaffirms* that the United Nations remains the indispensable foundation of a peaceful and just world and that its voice must be heard in a clear and effective manner, and emphasizes the essential role of the Department of Public Information in this context;

3. *Stresses* the importance of the clear, timely, accurate and comprehensive provision of information by the Secretariat to Member States, upon their request, within the framework of existing mandates and procedures;

4. *Reaffirms* the central role of the Committee on Information in United Nations public information policies and activities, including the prioritization of those activities, and decides that recommendations relating to the programme of the Department of Public Information shall originate, to the extent possible, in the Committee and shall be considered by the Committee;

5. *Requests* the Department of Public Information, following the priorities laid down by the General Assembly in its resolution 61/235 of 22 December 2006, and guided by the United Nations Millennium Declaration[106] and reaffirming the 2005 World Summit Outcome,[107] to pay particular attention to peace and security, development and human rights and to major issues such as the eradication of poverty, including the global food crisis, conflict prevention, sustainable development, the HIV/AIDS epidemic, combating terrorism in all its forms and manifestations and the needs of the African continent;

6. *Also requests* the Department of Public Information to pay particular attention to progress in implementing the internationally agreed development goals, including those contained in the Millennium Declaration, and the outcomes of the major related United Nations summits and conferences in carrying out its activities;

7. *Further requests* the Department of Public Information and its network of United Nations information centres to play an active role in raising public awareness of the global challenge of climate change, and encourages the Department to pay particular attention to the actions taken in the framework of the United Nations Framework Convention on Climate Change,[108] in accordance with the principles of common but differentiated responsibilities, especially in the context of the forthcoming sessions of the Conference of the Parties and of the Meetings of the Parties to the Kyoto Protocol[109] to be held in Poznan, Poland, from 1 to 12 December 2008 and in Copenhagen from 30 November to 11 December 2009;

8. *Reaffirms* the need to enhance the technological infrastructure of the Department of Public Information on a continuous basis in order to widen its outreach and to continue to improve the United Nations website;

II

General activities of the Department of Public Information

9. *Takes note* of the reports of the Secretary-General on the activities of the Department of Public Information;[110]

10. *Requests* the Department of Public Information to maintain its commitment to a culture of evaluation and to continue to evaluate its products and activities with the objective of improving their effectiveness, and to continue to cooperate and coordinate with Member States and the Office of Internal Oversight Services of the Secretariat;

11. *Reaffirms* the importance of more effective coordination between the Department of Public Information and the Office of the Spokesperson for the Secretary-General, and

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[106] See resolution 55/2.

[107] See resolution 60/1.

[108] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[109] FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

[110] A/AC.198/2008/2 and 3.

requests the Secretary-General to ensure consistency in the messages of the Organization;

12. *Encourages* continued collaboration between the Department of Public Information and the United Nations Educational, Scientific and Cultural Organization in the promotion of culture and in the fields of education and communication, bridging the existing gap between the developed and the developing countries;

13. *Reaffirms* that the Department of Public Information must prioritize its work programme, while respecting existing mandates and in line with regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,[111] to focus its message and better concentrate its efforts and to match its programmes with the needs of its target audiences, on the basis of improved feedback and evaluation mechanisms;

14. *Notes* the efforts of the Department of Public Information to continue to publicize the work and decisions of the General Assembly, and requests the Department to continue to enhance its working relationship with the Office of the President of the General Assembly;

15. *Requests* the Secretary-General to continue to exert all efforts to ensure that publications and other information services of the Secretariat, including the United Nations website and the United Nations News Service, contain comprehensive, objective and equitable information in all official languages about the issues before the Organization and that they maintain editorial independence, impartiality, accuracy and full consistency with resolutions and decisions of the General Assembly;

16. *Requests* the Department of Public Information and content-providing offices of the Secretariat to ensure that United Nations publications are produced in a cost-effective manner and to continue to coordinate closely with all other entities, including all other departments of the Secretariat and funds and programmes of the United Nations system, in order to avoid duplication, within their respective mandates, in the issuance of United Nations publications;

17. *Emphasizes* that the Department of Public Information should maintain and improve its activities in the areas of special interest to developing countries and where appropriate, other countries with special needs, and that the activities of the Department should contribute to bridging the existing gap between the developing and the developed countries in the crucial field of public information and communications;

18. *Notes* the issuance of daily press releases, and requests the Department of Public Information to continue to improve their production process and streamline their format, structure and length, keeping in mind the views of Member States, including their views on expanding them to the other official languages;

19. *Notes with appreciation* the efforts of the Department of Public Information to work at the local level with other organizations and bodies of the United Nations system to enhance the coordination of their communications activities, and requests the Secretary-General to report to the Committee on Information at its thirty-first session on progress achieved in this regard and on the activities of the United Nations Communications Group;

20. *Calls upon* the Department of Public Information, recognizing the importance of audio-visual archives in preserving our common heritage, to continue to examine its policies and activities regarding the durable preservation of its radio, television and photographic archives and to take action within existing resources in ensuring that such archives are preserved and are accessible, and encourages the Department to work further with all interested partners in order to reach that objective;

Multilingualism and public information

21. *Emphasizes* the importance of making appropriate use and ensuring equitable treatment of all the official languages of the United Nations in all the activities of the Department of Public Information, including in presentations to the Committee on Information, with the aim of eliminating the disparity between the use of English and the five other official languages;

22. *Reiterates its request* to the Secretary-General to ensure that the Department of Public Information has appropriate staffing capacity in all the official languages of the United Nations to undertake all its activities and to include this aspect in future programme budget proposals for the Department , bearing in mind the principle of parity of all six official languages, while respecting the workload of each official language;

23. *Welcomes* the ongoing efforts of the Department of Public Information to enhance multilingualism in all its activities, and stresses the importance of fully implementing its resolution 61/266 by ensuring that the texts of all new public documents in all six official languages and information materials of the United Nations are made available daily through the United Nations website and are accessible to Member States without delay;

24. *Requests* the Secretary-General to continue towards completion of the task of uploading all important older United Nations documents on the United Nations website in all six official languages on a priority basis, so that these archives are also available to Member States through that medium;

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[111] ST/SGB/2000/8.

Bridging the digital divide

25. *Recalls with satisfaction* its resolution 60/252 of 27 March 2006, in which it endorsed the Tunis Commitment and the Tunis Agenda for the Information Society,[112] as adopted at the second phase of the World Summit on the Information Society, held in Tunis from 16 to 18 November 2005, and proclaimed 17 May annual World Information Society Day, recalls the adoption of the Declaration of Principles and the Plan of Action[113] at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003, and in this regard requests the Department of Public Information to contribute to the celebration of this event and to play a role in raising awareness of the possibilities that the use of the Internet and other information and communications technologies can bring to societies and economies, as well as of ways to bridge the digital divide;

26. *Calls upon* the Department of Public Information to contribute to raising the awareness of the international community of the importance of the implementation of the outcome documents of the World Summit on the Information Society;

Network of United Nations information centres

27. *Emphasizes* the importance of the network of United Nations information centres in enhancing the public image of the United Nations and in disseminating messages on the United Nations to local populations, especially in developing countries;

28. *Welcomes* the work done by the network of United Nations information centres in favour of the publication of United Nations information materials and the translation of important documents in languages other than the official languages of the United Nations, with a view to reaching the widest possible spectrum of audiences and extending the United Nations message to all the corners of the world in order to strengthen international support for the activities of the Organization, and encourages the continuation of efforts in this regard;

29. *Stresses* the importance of rationalizing the network of United Nations information centres, and, in this regard, requests the Secretary-General to continue to make proposals in this direction, including through the redeployment of resources where necessary, and to report to the Committee on Information at its successive sessions;

30. *Reaffirms* that the rationalization of United Nations information centres must be carried out on a case-by-case basis in consultation with all concerned Member States in which existing information centres are located, the countries served by those information centres and other interested countries in the region, taking into consideration the distinctive characteristics of each region;

31. *Recognizes* that the network of United Nations information centres, especially in developing countries, should continue to enhance its impact and activities, including through strategic communications support, and calls upon the Secretary-General to report on the implementation of this approach to the Committee on Information at its successive sessions;

32. *Encourages* the Department of Public Information, through the information centres, to strengthen its cooperation with all other United Nations entities at the country level, in order to enhance coherence in communications and to avoid duplication of work;

33. *Stresses* the importance of taking into account the special needs and requirements of developing countries in the field of information and communications technology for the effective flow of information in those countries;

34. *Also stresses* that the Department of Public Information, through the network of United Nations information centres, should continue to promote public awareness of and mobilize support for the work of the United Nations at the local level, bearing in mind that information in local languages has the strongest impact on local populations;

35. *Further stresses* the importance of efforts to strengthen the outreach activities of the United Nations to those Member States remaining outside the network of United Nations information centres, and encourages the Secretary-General, within the context of rationalization, to extend the services of the network of United Nations information centres to those Member States;

36. *Stresses* that the Department of Public Information should continue to review the allocation of both staff and financial resources to the United Nations information centres in developing countries, emphasizing the needs of the least developed countries;

37. *Encourages* the network of United Nations information centres to continue to develop web pages in local languages, encourages the Department of Public Information to provide necessary resources and technical facilities, and encourages host countries to respond to the needs of the information centres;

38. *Takes note* of the proposal by the Secretary-General to work closely with the Governments concerned to explore the possibility of identifying rent-free premises, while taking into account the economic condition of the host countries and bearing in mind that such support should not be a substitute for the full allocation of financial resources for the information centres in the context of the programme budget of the United Nations;

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[112] See A/60/687.

[113] See A/C.2/59/3, annex.

39. *Also takes note* of the strengthening of the information centres in Cairo, Mexico City and Pretoria, and encourages the Secretary-General to explore the strengthening of other centres, especially in Africa, in cooperation with the Member States concerned and within existing resources;

40. *Recalls* the offer made by the Government of Angola to host a United Nations information centre in Luanda to address the special needs of Portuguese-speaking African countries, through the provision of rent-free premises, and regrets the lack of progress in this regard, and requests the Secretary-General to report to the Committee on Information at its thirty-first session on the measures necessary, including the budgetary requirements, to accommodate those needs, as well as any proposal to move this process forward;

III

Strategic communications services

41. *Reaffirms* the role of the strategic communications services in devising and disseminating United Nations messages by developing communications strategies, in close collaboration with the substantive departments, United Nations funds and programmes and the specialized agencies, in full compliance with their legislative mandates;

Promotional campaigns

42. *Appreciates* the work of the Department of Public Information in promoting, through its campaigns, issues of importance to the international community, such as the United Nations Millennium Declaration and the progress made in implementing the internationally agreed development goals, United Nations reform, the eradication of poverty, conflict prevention, sustainable development, disarmament, decolonization, human rights, including the rights of women and children and of persons with disabilities, strategic coordination in humanitarian relief, especially in natural disasters and other crises, HIV/AIDS, malaria, tuberculosis and other diseases, the needs of the African continent and combating terrorism in all its forms and manifestations, as well as dialogue among civilizations, the culture of peace and tolerance and the consequences of the Chernobyl disaster;

43. *Commends* the role of the Department of Public Information in observing the first International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, and looks forward to its further work in promoting the establishment of the permanent memorial to the victims of slavery and the transatlantic slave trade;

44. *Requests* the Department, in this regard, in cooperation with the countries concerned and with the relevant organizations and bodies of the United Nations system, to continue to take appropriate measures to enhance world public awareness of these and other important global issues;

45. *Stresses* the need to continue the renewed emphasis in support of Africa's development, in particular by the Department of Public Information, in order to promote awareness in the international community of the nature of the critical economic and social situation in Africa and of the priorities of the New Partnership for Africa's Development;[114]

46. *Recognizes* the role of the Department of Public Information and its network of United Nations information centres in commemorating the sixtieth anniversary of the Universal Declaration of Human Rights;[115]

Role of the Department of Public Information in United Nations peacekeeping operations

47. *Commends* the role of the Department of Public Information and its network of United Nations information centres in commemorating the sixtieth anniversary of United Nations peacekeeping;

48. *Requests* the Secretariat to continue to ensure the involvement of the Department of Public Information from the planning stage of future peacekeeping operations through interdepartmental consultations and coordination with other departments of the Secretariat, in particular with the Department of Peacekeeping Operations and the Department of Field Support;

49. *Stresses* the importance of enhancing the public information capacity of the Department of Public Information in the field of peacekeeping operations and its role, in close cooperation with the Department of Peacekeeping Operations and the Department of Field Support, in the process of selecting public information staff for United Nations peacekeeping operations or missions, and, in this regard, invites the Department of Public Information to second public information staff who have the necessary skills to fulfil the tasks of the operations or missions, taking into account the principle of equitable geographical distribution in accordance with Chapter XV, Article 101, paragraph 3, of the Charter of the United Nations, and to consider views expressed, especially by host countries, when appropriate, in this regard;

50. *Emphasizes* the importance of the peacekeeping gateway on the United Nations website, and requests the Department of Public Information to continue its efforts in supporting the peacekeeping missions to further develop their websites;

51. *Requests* the Department of Public Information, the Department of Peacekeeping Operations and the Department of Field Support to continue their cooperation in raising awareness of the new realities, far-reaching successes and challenges faced

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[114] A/57/304, annex.

[115] Resolution 217 A (III).

by peacekeeping operations, especially multidimensional and complex ones, and the recent surge in United Nations peacekeeping activities, and welcomes efforts by the three Departments to develop and implement a comprehensive communications strategy on current challenges facing United Nations peacekeeping;

52. *Requests* the Department of Public Information and the Department of Peacekeeping Operations to continue to cooperate in implementing an effective outreach programme to explain the zero-tolerance policy of the Organization regarding sexual exploitation and abuse and to inform the public of the outcome of all such cases involving peacekeeping personnel, including cases where allegations are ultimately found to be legally unproven, and also to inform the public of the adoption by the General Assembly of the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel;[116]

Role of the Department of Public Information in strengthening dialogue among civilizations and the culture of peace as means of enhancing understanding among nations

53. *Recalls* its resolutions on dialogue among civilizations and the culture of peace,[117] requests the Department of Public Information, while ensuring the pertinence and relevance of subjects for promotional campaigns under this issue, to continue to provide the necessary support for the dissemination of information pertaining to dialogue among civilizations and the culture of peace, as well as the initiative on the Alliance of Civilizations, and to take due steps in fostering the culture of dialogue among civilizations and promoting cultural understanding, tolerance, respect for and freedom of religion or belief and effective enjoyment by all of all human rights and civil, political, economic, social and cultural rights, including the right to development, recognizes the efforts made by the High Representative of the Secretary-General for the Alliance of Civilizations, and takes note of the initiatives launched at the first Alliance of Civilizations Forum, held in Madrid on 15 and 16 January 2008;

IV

News services

54. *Stresses* that the central objective of the news services implemented by the Department of Public Information is the timely delivery of accurate, objective and balanced news and information emanating from the United Nations system in all four mass media, namely, print, radio, television and the Internet, to the media and other audiences worldwide, with the overall emphasis on multilingualism, and reiterates its request to the Department to ensure that all news-breaking stories and news alerts are accurate, impartial and free of bias;

55. *Emphasizes* the importance of the Department of Public Information continuing to draw the attention of world media to stories that do not obtain prominent coverage, through the initiative entitled "10 Stories the World Should Hear More About" and through video and audio coverage by United Nations Television and United Nations Radio;

Traditional means of communication

56. *Welcomes* the initiative of United Nations Radio, which remains one of the most effective and far-reaching traditional media available to the Department of Public Information and an important instrument in United Nations activities, to enhance its live radio broadcasting service by making more frequently updated reports in all six official languages and features available to broadcasters on a daily basis on all United Nations activities, and requests the Secretary-General to continue to make every effort to achieve parity in the six official languages in United Nations Radio productions;

57. *Notes* the efforts being made by the Department of Public Information to disseminate programmes directly to broadcasting stations all over the world in the six official languages, with the addition of Portuguese and Kiswahili, as well as in other languages where possible;

58. *Requests* the Department of Public Information to continue building partnerships with local, national and regional broadcasters to extend the United Nations message to all the corners of the world in an accurate and impartial way, and requests the Radio and Television Service of the Department to continue to take full advantage of the technological infrastructure made available in recent years;

United Nations website

59. *Reaffirms* that the United Nations website is an essential tool for the media, non-governmental organizations, educational institutions, Member States and the general public, and, in this regard, reiterates the continued need for efforts by the Department of Public Information to maintain and improve it;

60. *Recognizes* the efforts made by the Department of Public Information to implement the basic accessibility requirements for persons with disabilities to access the United Nations website, and calls upon the Department to continue to work towards compliance with accessibility requirements on all new and updated pages of the website, with the aim of ensuring its accessibility for persons with different kinds of disabilities;

61. *Takes note* of the fact that the multilingual development and enrichment of the United Nations website has

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[116] Resolution 62/214, annex.

[117] Resolutions 52/15, 53/22, 53/25, 55/23, 56/6, 59/142 and 60/4.

improved,[118] and, in this regard, requests the Department of Public Information, in coordination with content-providing offices, to further improve the actions taken to achieve full parity among the six official languages on the United Nations website, and especially reiterates its request to ensure the adequate distribution of financial and human resources within the Department of Public Information allocated to the United Nations website among all official languages, taking into consideration the specificity of each official language;

62. *Welcomes* the cooperative arrangements undertaken by the Department of Public Information with academic institutions to increase the number of web pages available in some official languages, and requests the Secretary-General to extend those arrangements to all the official languages of the United Nations;

63. *Recalls* paragraph 74 of its resolution 60/109 B, and in this regard reiterates that all content-providing offices in the Secretariat should continue their efforts to translate into all official languages all English-language materials and databases posted on the United Nations website and to make them available on the respective language websites in the most practical, efficient and cost-effective manner;

64. *Requests* the Secretary-General to continue to take full advantage of new developments in information technology in order to improve, in a cost-effective manner, the expeditious dissemination of information on the United Nations, in accordance with the priorities established by the General Assembly in its resolutions and taking into account the linguistic diversity of the Organization;

65. *Recognizes* that some official languages use non-Latin and bidirectional scripts and that technological infrastructures and supportive applications in the United Nations are based on Latin script, which leads to difficulties in processing non-Latin and bidirectional scripts, and urges the Information Technology Services Division of the Department of Management to further collaborate with the Department of Public Information and to continue its efforts to ensure that technological infrastructures and supportive applications in the United Nations fully support Latin, non-Latin and bidirectional scripts in order to enhance the equality of all official languages on the United Nations website;

66. *Welcomes* the continuing growth in the popularity of the e-mail news alerts service provided by the Department of Public Information on the United Nations News Centre portal in English and French, and encourages the Department to consult with the Information Technology Services Division of the Department of Management and to explore, as a matter of priority, ways of upgrading the technical capabilities of the service and providing it in all official languages;

V

Library services

67. *Calls upon* the Department of Public Information to continue to lead the Steering Committee for the Modernization and Integrated Management of United Nations Libraries and further commends the steps taken by the Dag Hammarskjöld Library and the other member libraries of the Steering Committee to align their activities, services and outputs more closely with the goals, objectives and operational priorities of the Organization;

68. *Reiterates* the need to maintain a multilingual collection of books, periodicals and other materials in hard copy, accessible to Member States, ensuring that the Library continues to be a broadly accessible resource for information about the United Nations and its activities;

69. *Takes note* of the initiative taken by the Dag Hammarskjöld Library, in its capacity as the focal point, to expand the scope of the regional training and knowledge-sharing workshops organized for the depository libraries in developing countries to include outreach in their activities;

70. *Acknowledges* the role of the Dag Hammarskjöld Library, in enhancing knowledge-sharing and networking activities to ensure access to the vast store of United Nations knowledge for delegates, permanent missions of Member States, the Secretariat, researchers and depository libraries worldwide, takes note of the proposal to rename the library the Dag Hammarskjöld Library and Knowledge-Sharing Centre, reflecting its new direction, and also takes note of the proposal to change the designation of the depository libraries to partner libraries;

71. *Notes with appreciation* the Personal Knowledge Management initiative to assist representatives of Member States and Secretariat staff in the use of information products and tools as a complement to the traditional training programmes;

72. *Encourages* the Secretariat to develop and implement cost-neutral measures to provide Member States with secure access to the information currently accessible only on the Intranet of the Secretariat (iSeek), taking note that Member States have access to iSeek only through the facilities of the Dag Hammarskjöld Library;

VI

Outreach services

73. *Acknowledges* that the outreach services provided by the Department of Public Information continue to work towards promoting awareness of the role and work of the United Nations;

74. *Welcomes* the educational outreach activities of the Department of Public Information, through the United Nations

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[118] See A/AC.198/2007/3.

Works programme and the Global Teaching and Learning Project, to reach educators and young people worldwide via a range of multimedia platforms, and encourages the United Nations Works programme to continue to develop further its partnerships with global media networks and celebrity advocates and the Global Teaching and Learning Project to further expand its activities to teachers and students in primary, intermediate and secondary schools;

75. *Notes* the importance of the continued implementation by the Department of Public Information of the ongoing programme for broadcasters and journalists from developing countries and countries with economies in transition, as mandated by the General Assembly, and requests the Department to consider how best to maximize the benefits derived from the programme by extending, inter alia, its duration and the number of its participants;

76. *Welcomes* the movement towards educational outreach and the orientation of the *UN Chronicle*, both print and online editions, and, to this end, encourages the *UN Chronicle* to continue to develop co-publishing partnerships, collaborative educational activities and events, including the "Unlearning Intolerance" seminar series, with civil society organizations and institutions of higher learning;

77. *Takes note* of the intention of the Department of Public Information to have the *UN Chronicle* magazine evolve into a journal called "UN Affairs", and requests, for further consideration, a comprehensive and detailed report on the progress of the project in due course;

78. *Considers it necessary* for the Department of Public Information to clearly identify practical improvements intended by the change from the *UN Chronicle* to "UN Affairs", taking into account parity of languages, editorial policy, potential qualitative gains and other improvements and urges that the Department, while considering these aspects, place emphasis on cost-effective measures and the present budgetary constraints, and welcomes any other alternative in line with the mandate of the Department for the consideration of Member States;[119]

79. *Requests* the Department of Public Information to continue the *UN Chronicle* until a decision is taken on "UN Affairs" or any other alternative in line with the mandate of the Department;

80. *Reaffirms* the important role that guided tours play as a means of reaching out to the general public, and takes note of the efforts undertaken by the Department of Public Information in organizing exhibitions on important United Nations-related issues within existing mandates at United Nations Headquarters and at other United Nations offices as a useful tool for reaching out to the general public;

81. *Requests* the Department of Public Information to strengthen its role as a focal point for two-way interaction with civil society relating to those priorities and concerns of the Organization identified by Member States;

82. *Commends*, in a spirit of cooperation, the United Nations Correspondents Association for its ongoing activities and for its Dag Hammarskjöld Memorial Scholarship Fund, which sponsors journalists from developing countries to come to the United Nations Headquarters and report on the activities during the General Assembly, and further encourages the international community to continue its financial support for the Fund;

83. *Expresses its appreciation* for the efforts and contribution of United Nations Messengers of Peace, Goodwill Ambassadors and other advocates to promote the work of the United Nations and to enhance international public awareness of its priorities and concerns, and calls upon the Department of Public Information to continue to involve them in its communications and media strategies and outreach activities;

VII

Final remarks

84. *Requests* the Secretary-General to report to the Committee on Information at its thirty-first session and to the General Assembly at its sixty-fourth session on the activities of the Department of Public Information and on the implementation of all recommendations and requests contained in the present resolution;

85. *Also requests* the Secretary-General to make every effort to ensure that the level of services provided by the Department of Public Information is maintained throughout the period of the implementation of the capital master plan;

86. *Strongly urges* the Secretary-General to accede to the request by Member States to provide additional passes to press officers of Member States to gain access to areas that are deemed restricted, in order to effectively and comprehensively report on high-level meetings that include officials of delegations of Member States;

87. *Requests* the Committee on Information to report to the General Assembly at its sixty-fourth session;

88. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Questions relating to information".

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[119] At the 14th meeting of the Special Political and Decolonization Committee, held on 22 October 2008, the Under-Secretary-General for Communications and Public Information stated that, in the light of the current budgetary situation, it was his intention not to ask for additional resources (see A/C.4/63/SR.14).

RESOLUTION 63/101

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/404, para. 7),[120] by a recorded vote of 177 to none, with 4 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: France, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

63/101. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 62/112 of 17 December 2007, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

Having examined the report of the Secretary-General,[121]

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

2. *Requests* the administering Powers concerned, in accordance with their Charter obligations, to transmit or continue to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social and educational conditions in the Territories for which they are respectively responsible, as well as the fullest possible information on political and constitutional developments in the Territories concerned, including the constitution, legislative act or executive order providing for the government of the Territory and the constitutional relationship of the Territory to the administering Power, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures.

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[120] The draft resolution recommended in the report of the Fourth Committee was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[121] A/63/65.

RESOLUTION 63/102

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/405, para. 7),[122] by a recorded vote of 179 to 2, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United States of America

Abstaining: France, United Kingdom of Great Britain and Northern Ireland

63/102. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[123]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, as well as all other relevant resolutions of the Assembly, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter and resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and also to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with

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[122] The draft resolution recommended in the report of the Fourth Committee was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[123] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. V.

the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Reaffirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Calls upon* the administering Powers to ensure that the exploitation of the marine and other natural resources in the Non-Self-Governing Territories under their administration is not in violation of the relevant resolutions of the United Nations, and does not adversely affect the interests of the peoples of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter and resolution 1514 (XV);

12. *Appeals* to trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories, and also appeals to the media to disseminate information about the developments in this regard;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its sixty-fourth session.

RESOLUTION 63/103

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/406, para. 7),[124] by a recorded vote of 125 to none, with 55 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia,

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[124] The draft resolution recommended in the report of the Fourth Committee was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

63/103. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General[125] and the report of the Economic and Social Council[126] on the item,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[127]

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2007/25 of 26 July 2007,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Also welcoming the participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the necessary resources for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

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[125] A/63/61.

[126] E/2008/47.

[127] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VI.

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations resolutions and decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling its resolution 62/114 of 17 December 2007 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[125]

2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system in which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant resolutions of the General Assembly;

4. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. *Urges* those specialized agencies and other organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

8. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(*a*) Environmental problems facing the Non-Self-Governing Territories;

(*b*) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(*c*) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(*d*) Illegal exploitation of the marine and other natural resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Recalls* the adoption by the Economic Commission for Latin America and the Caribbean of its resolution 574 (XXVII) of 16 May 1998,[128] calling for the necessary mechanisms for its associate members, including Non-Self-Governing Territories, to participate in the special sessions of the General Assembly, subject to the rules of procedure of the Assembly, to review and assess the implementation of the plans of action of those United Nations world conferences in which the Territories originally participated in the capacity of observer, and in the work of the Economic and Social Council and its subsidiary bodies;

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[128] *See Official Records of the Economic and Social Council, 1998, Supplement No. 21* (E/1998/41), sect. III.G.

13. *Requests* the Chairperson of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to maintain close contact on these matters with the President of the Economic and Social Council;

14. *Welcomes* the publication by the Department of Public Information and the Department of Political Affairs of the Secretariat, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories, and requests that it be disseminated widely;

15. *Welcomes also* the continuing efforts made by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies, inter alia, with the assistance of the relevant specialized agencies;

17. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the General Assembly and the Special Committee on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

18. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

19. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

20. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

21. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

22. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the measures necessary to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

23. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its sixty-fourth session.

RESOLUTION 63/104

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/407, para. 6)[129]

63/104. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 62/115 of 17 December 2007,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,[130] prepared pursuant to its resolution 845 (IX) of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of Non-Self-Governing Territories,

Strongly convinced that the continuation and expansion of offers of scholarships is essential in order to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

1. *Takes note* of the report of the Secretary-General;[130]

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[129] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Argentina, China, Cuba, Egypt, Ghana, India, Nigeria, Philippines, Singapore, Thailand and United Republic of Tanzania.

[130] A/63/67.

2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

RESOLUTION 63/105

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/408, para. 37)[131]

63/105. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the people concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling its resolution 62/116 of 17 December 2007,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 1359 (2001) of 29 June 2001, 1429 (2002) of 30 July 2002, 1495 (2003) of 31 July 2003, 1541 (2004) of 29 April 2004, 1570 (2004) of 28 October 2004, 1598 (2005) of 28 April 2005, 1634 (2005) of 28 October 2005, 1675 (2006) of 28 April 2006 and 1720 (2006) of 31 October 2006,

Underlining the adoption of Security Council resolutions 1754 (2007) on 30 April 2007, 1783 (2007) on 31 October 2007 and 1813 (2008) on 30 April 2008,

Expressing its satisfaction that the parties have met on 18 and 19 June 2007, on 10 and 11 August 2007, from 7 to 9 January 2008 and from 16 to 18 March 2008 under the auspices of the Personal Envoy of the Secretary-General and in the presence of the neighbouring countries and that they have agreed to continue the negotiations,

Calling upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy and with each other,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Welcoming in this regard the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution to the dispute, which will provide for the self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[132]

Having also examined the report of the Secretary-General,[133]

1. *Takes note* of the report of the Secretary-General;[133]

2. *Supports* the process of negotiations initiated by Security Council resolution 1754 (2007) and further sustained by Council resolutions 1783 (2007) and 1813 (2008), with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara, and commends the efforts undertaken by the Secretary-General and his Personal Envoy in this respect;

3. *Welcomes* the commitment of the parties to continue to show political will and work in an atmosphere propitious for

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[131] The draft resolution recommended in the report was submitted by the Chairman of the Fourth Committee.

[132] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VIII, sect. C.

[133] A/63/131.

dialogue, in order to enter into a more intensive phase of negotiations, in good faith and without preconditions, taking note of efforts and developments since 2006, thus ensuring implementation of Security Council resolutions 1754 (2007), 1783 (2007) and 1813 (2008) and the success of negotiations;

4. *Also welcomes* the ongoing negotiations between the parties held on 18 and 19 June 2007, on 10 and 11 August 2007, from 7 to 9 January 2008 and from 16 to 18 March 2008 in the presence of the neighbouring countries under the auspices of the United Nations;

5. *Calls upon* the parties to cooperate with the International Committee of the Red Cross, and calls upon them to abide by their obligations under international humanitarian law;

6. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixty-fourth session;

7. *Invites* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution.

RESOLUTION 63/106

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/408, para. 37)[134]

63/106. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[135]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia since the signing of the Nouméa Accord of 5 May 1998 by the representatives of New Caledonia and the Government of France;[136]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and welcomes, in this context, efforts under way towards jointly devising identity symbols for the Territory, such as name, flag, anthem, motto and banknotes, as required under the Nouméa Accord;

4. *Acknowledges* those provisions of the Nouméa Accord relating to control of immigration and protection of local employment, and notes that unemployment remains high among Kanaks and that recruitment of foreign mine workers continues;

5. *Notes* the concerns expressed by a group of indigenous people in New Caledonia regarding their underrepresentation in the Territory's governmental and social structures;

6. *Takes note* of the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

7. *Notes* the agreement between the signatories to the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

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[134] The draft resolution recommended in the report of the Fourth Committee was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[135] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VIII, sect. B.

[136] A/AC.109/2114, annex.

8. *Recalls* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

9. *Notes* the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund in such areas as economic and trade cooperation, the environment, climate change and financial services;

10. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter of the United Nations;

11. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

12. *Recalls with satisfaction* the efforts of the French authorities to resolve the question of voter registration by adopting, in the French Congress of Parliament, on 19 February 2007, amendments to the French Constitution allowing New Caledonia to restrict eligibility to vote in local polls to those voters registered on the 1998 electoral rolls when the Nouméa Accord was signed, thus ensuring strong representation of the Kanak population;

13. *Welcomes* all measures taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

14. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

15. *Notes* the financial assistance rendered by the Government of France to the Territory in areas such as health, education, payment of public-service salaries and funding development schemes;

16. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

17. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, including the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

18. *Welcomes* the cooperation among Australia, France and New Zealand in terms of surveillance of fishing zones, in accordance with the wishes expressed by France during the France-Oceania Summits in July 2003 and June 2006;

19. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

20. *Welcomes*, in this regard, the participation of New Caledonia in the Pacific Islands Forum, following its accession to the Forum as associate member in October 2006, at the 37th Summit of the Forum;

21. *Also welcomes* the continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

22. *Further welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

23. *Recalls* the endorsement of the report of the Forum Ministerial Committee on New Caledonia by leaders of the Pacific Islands Forum at its 36th Summit, held in Papua New Guinea in October 2005, and the continuing role of the Forum Ministerial Committee in monitoring developments in the Territory and encouraging closer regional engagements;

24. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

25. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-fourth session.

RESOLUTION 63/107

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/408, para. 37)[137]

63/107. Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[138]

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[137] The draft resolution recommended in the report of the Fourth Committee was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 62/121 of 17 December 2007,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Also noting with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Recalling the inauguration in 1996 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing, for the first time, the rights and obligations of the two partner countries,

Bearing in mind the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association and its decision in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand,

1. *Notes* that Tokelau and New Zealand remain firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current requirements;

2. *Notes also* the ongoing recognition by New Zealand of the complete right of the people of Tokelau to undertake the act of self-determination when this is considered by the people of Tokelau to be appropriate;

3. *Welcomes* the substantial progress made towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

4. *Recalls* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions subsequently held between Tokelau and New Zealand pursuant to the decision of the General Fono;

5. *Recalls also* the decision of the General Fono in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand, and notes the enactment by the General Fono of rules for the referendum;

6. *Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2007–2010;

7. *Also acknowledges* the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, as well as the support and cooperation of the United Nations Development Programme;

8. *Further acknowledges* Tokelau's need for continued support from the international community;

9. *Recalls with satisfaction* the establishment and operation of the Tokelau International Trust Fund to support the future development needs of Tokelau, and calls upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to assist this emerging country in overcoming the problems of smallness, isolation and lack of resources;

10. *Welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

11. *Also welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, and their support for its economic and political aspirations and its increasing participation in regional and international affairs;

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[138] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. X.

12. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

13. *Welcomes* the actions taken by the administering Power to transmit information regarding the political, economic and social situation of Tokelau to the Secretary-General;

14. *Notes with appreciation* the considerable progress made in the negotiation of a draft constitution by New Zealand and Tokelau, as well as the decisions on proposed national symbols by Tokelau, and the steps taken by Tokelau and New Zealand to agree to a draft treaty of free association as a basis for an act of self-determination;

15. *Notes* that a referendum to determine the future status of Tokelau held in February 2006 failed to produce the two-thirds majority of the valid votes cast required by the General Fono to change Tokelau's status from that of a Non-Self-Governing Territory under the administration of New Zealand;

16. *Also notes* the subsequent decision of the General Fono to conduct a further referendum to determine the future status of Tokelau from 20 to 24 October 2007;

17. *Commends* the professional and transparent conduct of both the February 2006 and the October 2007 referendums, monitored by the United Nations;

18. *Notes* that the October 2007 referendum also did not produce the two-thirds majority of the valid votes cast required by the General Fono to change the status of Tokelau from that of a Non-Self-Governing Territory under the administration of New Zealand to that of self-government in free association with New Zealand;

19. *Acknowledges* the decision of the General Fono that consideration of any future act of self-determination by Tokelau will be deferred and that New Zealand and Tokelau will devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau are enhanced and strengthened, thereby ensuring an enhanced quality of life for the people of Tokelau;

20. *Welcomes* the commitment of both Tokelau and New Zealand to continue to work together in the interests of Tokelau and its people, taking into account the principle of the right to self-determination;

21. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixty-fourth session.

RESOLUTIONS 63/108 A and B

Adopted at the 64th plenary meeting, on 5 December 2008, without a vote, on the recommendation of the Committee (A/63/408, para. 37)[139]

63/108. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A

GENERAL

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[140]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-second session on the individual Territories covered by the present resolution,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

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[139] The draft resolutions recommended in the report of the Fourth Committee were submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[140] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. IX.

Expressing concern that more than forty-seven years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[141] there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[142]

Recognizing that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Noting the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland, and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

Noting also the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and in its regional seminars,

Noting further the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the aegis of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Noting that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through Orders in Council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

Aware of the importance of the international financial services sector for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that the 2008 Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind the applicability to the Territories of the programmes of action of all United Nations world conferences[143] and special sessions of the General Assembly in the economic and social sphere,

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[141] Resolution 1514 (XV).

[142] A/56/61, annex.

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[144] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

Recognizing that the annual background working papers prepared by the Secretariat on developments in each of the small Territories,[145] as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolution,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Requests* the administering Powers to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

5. *Stresses* the importance of the Special Committee being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the Territories and the administering Powers to take all measures necessary to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with their prevailing rules of procedure;

8. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

9. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[142] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent of the implementation of the Declaration in each Territory, and that the working papers prepared by the

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[143] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum); *Report of the World Conference on Natural Disaster Reduction, Yokohama, Japan, 23–27 May 1994* (A/CONF.172/9), chap. I; *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I; *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex; *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II; and *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[144] See resolution 2200 A (XXI), annex.

[145] A/AC.109/2008/2-4, 6, 7, 10 and Corr.1, 11, 12 and 15–17.

Secretariat on each Territory should fully reflect developments in those Territories;

10. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration, and in order to advise the Special Committee on the implementation of provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the constitutional reviews in the respective Territories administered by the United Kingdom of Great Britain and Northern Ireland and the United States of America, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights,[144] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Special Committee;

15. *Requests* the Special Committee to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-fourth session and on the implementation of the present resolution.

B

INDIVIDUAL TERRITORIES

The General Assembly,

Referring to resolution A above,

I

American Samoa

Taking note of the working paper prepared by the Secretariat on American Samoa[146] and other relevant information,

Aware that under United States law the Secretary of the Interior has administrative jurisdiction over American Samoa,[147]

Noting the position of the administering Power and the statements made by representatives of American Samoa in regional seminars expressing satisfaction with the Territory's present relationship with the United States of America,

Aware of the work of the Future Political Status Study Commission, completed in 2006, and the release of its report, with recommendations, in January 2007, to help the Territory study alternative forms of future political status open to American Samoa and to assess the advantages and disadvantages of each,

Noting, in that regard, the information contained in the paper provided by the Chairman of the Future Political Status Study Commission and distributed at the 2008 Pacific regional seminar requesting the Special Committee to review the Territory's status as a Non-Self-Governing Territory, with a view to accepting the Territory's future political status once chosen by its people,

Aware that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government, and calling upon the administering Power to assist the territorial Government in the diversification of its economy,

1. *Welcomes* the work of the territorial Government and legislature with regard to the recommendations made by the Future Political Status Study Commission in preparation for a constitutional convention addressing issues related to the future status of American Samoa;

2. *Stresses* the importance of the invitation previously extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if

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[146] A/AC.109/2008/3.

[147] United States Congress, 1929 (48 U.S.C. Sec. 1661, 45 Stat. 1253), and Secretary's Order 2657, Department of the Interior, United States of America, 1951, as amended.

the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

II

Anguilla

Taking note of the working paper prepared by the Secretariat on Anguilla[148] and other relevant information,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Government and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

Taking note of the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, and the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, as well as of the territorial Government's recent decision to revisit the recommendations of the Commission, in order to move the process forward, with the aim of seeking full internal self-government,

Aware that the Government intends to continue its commitment to high-end tourism and the implementation of various regulations in the financial services sector,

Noting the participation of the Territory as an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

1. *Welcomes* the work of the Constitutional and Electoral Reform Commission and its report of 2006, the holding of public and other consultative meetings in 2007, with the aim of making recommendations to the administering Power on proposed changes to the Constitution of the Territory and the subsequent efforts of the territorial Government to advance the internal constitutional review exercise;

2. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

III

Bermuda

Taking note of the working paper prepared by the Secretariat on Bermuda[149] and other relevant information,

Conscious of the different viewpoints of the political parties on the future status of the Territory, and noting a recent survey by local media on the matter,

Recalling the dispatch of the United Nations special mission to Bermuda in 2005 at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) and on the experiences of other small States that have achieved a full measure of self-government,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and regrets that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

IV

British Virgin Islands

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands[150] and other relevant information,

Recalling the 1993 report of the Constitutional Commissioners, the 1996 debate on the report in the Legislative

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[148] A/AC.109/2008/7.

[149] A/AC.109/2008/10 and Corr.1.

[150] A/AC.109/2008/2.

Council of the Territory, the establishment of the Constitutional Review Commission in 2004, the completion in 2005 of its report providing recommendations on internal constitutional modernization and the debate held in 2005 on the report in the Legislative Council, as well as the negotiations between the administering Power and the territorial Government, which resulted in the adoption of the new Constitution of the Territory in 2007,

Noting that the 2007 Constitution of the British Virgin Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

Noting also the statement made by an expert from the Territory at the 2008 Pacific regional seminar, who presented an analysis of the recently concluded constitutional review process,

Noting further that the Territory continues to emerge as a leading offshore financial centre, with unprecedented growth in its financial and tourism services sectors,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the new Constitution of the British Virgin Islands, which took effect in June 2007, and notes the need expressed by the territorial Government for minor constitutional amendments in the years to come;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the Territory to focus its economic base more on local ownership and on professional service industries other than financial services;

4. *Appreciates* the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the British Virgin Islands and the United States Virgin Islands to advance cooperation between the two neighbouring Territories;

V

Cayman Islands

Taking note of the working paper prepared by the Secretariat on the Cayman Islands[151] and other relevant information,

Aware of the 2002 report of the Constitutional Modernization Review Commission, which contained a draft constitution for the consideration of the people of the Territory, the 2003 draft constitution offered by the administering Power and the subsequent discussions between the Territory and the administering Power in 2003, and the reopening of discussions between the administering Power and the territorial Government on internal constitutional modernization in 2006, with the aim of ascertaining the views of the people by way of referendum,

Noting with interest the establishment of the Cayman Islands Constitutional Review Secretariat, which began its work in March 2007 in support of the Territory's constitution modernization initiative, which comprises four phases with regard to constitutional reform, including research and publicity, consultation and public education, a referendum on reform proposals, and negotiations between the administering Power and the territorial Government,

Acknowledging the indication by the territorial Government that certain cost-of-living issues, such as inflation, continue to be a cause for concern,

1. *Welcomes* the publication by the territorial Government of a consultation paper in January 2008 setting out a number of proposals for constitutional reform, with a view to holding a referendum on those proposals, or revised proposals, later in the year;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the territorial Government to address cost-of-living issues in various economic sectors;

VI

Guam

Taking note of the working paper prepared by the Secretariat on Guam[152] and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[153]

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[151] A/AC.109/2008/11.

[152] A/AC.109/2008/15.

[153] United States Congress, Organic Act of Guam, 1950, as amended.

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the previously expressed requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of deep concerns expressed by civil society and others, including at the 2008 Pacific regional seminar, regarding the potential social and other impacts of the impending transfer of additional military personnel of the administering Power to the Territory,

Aware also of the austerity and fiscal measures undertaken by the territorial Government since 2007, when the Governor declared a financial "state of emergency",

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, and encourages the administering Power and the territorial Government to enter into negotiations on the matter;

2. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

3. *Also requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

4. *Recalls* the previously made request by the elected Governor to the administering Power to lift restrictions to allow for foreign airlines to transport passengers between Guam and the United States of America to provide for a more competitive market and increased visitor arrivals;

5. *Requests* the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

VII

Montserrat

Taking note of the working paper prepared by the Secretariat on Montserrat[154] and other relevant information,

Recalling the 2002 report of the Constitutional Review Commission, the convening of a committee of the House of Assembly in 2005 to review the report and the subsequent discussions between the administering Power and the territorial Government on internal constitutional advancement and devolution of power,

Noting that the negotiating process with the administering Power on a draft constitution, expected to be finalized in the first quarter of 2007, is in progress and that talks, postponed at the request of the territorial Government since more time was needed, are expected to resume in the course of 2008,

Aware that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Recalling the statements made by participants at the 2007 Caribbean regional seminar encouraging the administering Power to commit sufficient resources to meet the Territory's special needs,

Noting with concern the continued consequences of the volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, which continues to have enduring consequences for the economy of the island,

Acknowledging the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

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[154] A/AC.109/2008/16.

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

1. *Welcomes* the efforts of the territorial Government to continue to negotiate improvements to the Constitution of the Territory so as to preserve its ability to move towards greater self-determination at a later stage;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII

Pitcairn

Taking note of the working paper prepared by the Secretariat on Pitcairn[155] and other relevant information,

Taking into account the unique character of Pitcairn in terms of population and area,

Noting that the internal review of the Constitution of the Territory is still deferred,

Aware that the administering Power and the territorial Government are in the process of restructuring the relationship between the Governor's Office and the territorial Government, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

1. *Welcomes* all efforts by the administering Power that would devolve operational responsibilities to the territorial Government, with a view to expanding self-government;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support economic security in Pitcairn;

IX

Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena[156] and other relevant information,

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Noting the internal constitutional review process led by the territorial Government since 2001, the completion of a draft constitution following negotiations between the administering Power and the territorial Government in 2003 and 2004, the consultative poll with regard to a new constitution, held in Saint Helena in May 2005, the subsequent preparation of a revised draft constitution as a basis for discussion and the efforts of the territorial Government to keep the constitutional review exercise high on its agenda, including through public meetings,

Noting in that regard the importance of the right to nationality for Saint Helenians and their previously expressed request that the right, in principle, be included in a new constitution,

Aware that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Aware also of the efforts of the administering Power and the territorial Government to improve the socio-economic conditions of the population of Saint Helena, in particular in the areas of employment and transport and communications infrastructure,

Noting the efforts of the Territory to address the problem of unemployment on the island and the joint action of the administering Power and the territorial Government in dealing with it,

Noting also the importance of improving the infrastructure and accessibility of Saint Helena,

1. *Welcomes* the Territory's continuing constitutional review process, including the related public meetings, and calls upon the administering Power to take into account the previously expressed concerns of Saint Helenians with regard to the right to nationality;

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[155] A/AC.109/2008/4.

[156] A/AC.109/2008/6.

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;

4. *Welcomes* the decision by the administering Power to provide funding for the construction of an international airport on Saint Helena, which is to become operational in 2011–2012, including all required infrastructure;

X

Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands[157] and other relevant information,

Recalling the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power,

Recalling also the 2002 report of the Constitutional Modernization Review Body, and acknowledging the Constitution agreed between the administering Power and the territorial Government, which entered into force in 2006,

Noting that the 2006 Constitution of the Turks and Caicos Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

Acknowledging the significant and steady period of economic expansion fuelled by the continuing growth of high-end tourism and related real estate development,

1. *Recalls* the Constitution of the Territory, which took effect in 2006, and notes the view of the territorial Government that there remains scope for a degree of delegation of the Governor's power to the Territory so as to secure greater autonomy;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the continuing efforts made by the Government addressing the need for attention to be paid to the enhancement of social cohesion across the Territory;

XI

United States Virgin Islands

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[158] and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[159]

Aware also of the ongoing Constitutional Convention, the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as the various related efforts in implementing a public education programme on the Constitution, as outlined in a statement by a participant from the Territory presented to the 2008 Pacific regional seminar,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the establishment of the Constitutional Convention in 2007, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the ongoing internal Constitutional Convention exercise;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. *Appreciates* the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the United States Virgin Islands and the British Virgin Islands to advance cooperation between the two neighbouring Territories.

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[157] A/AC.109/2008/12.

[158] A/AC.109/2008/17.

[159] United States Congress, Revised Organic Act, 1954.

RESOLUTION 63/109

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/408, para. 37),[160] by a recorded vote of 177 to 3, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: France

63/109. Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[161]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular Assembly resolution 62/119 of 17 December 2007,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[162]

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Recognizing also the role of the Department of Public Information of the Secretariat, through the United Nations information centres, in the dissemination of information at the regional level on the activities of the United Nations,

Welcoming the issuance by the Department of Public Information, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization, in particular the preparation, in accordance with General Assembly resolution 61/129 of 14 December 2006, of the information leaflet entitled "What the UN Can Do to Assist Non-Self-Governing Territories", issued in March 2007, and encourages wide dissemination of the information leaflet;

2. *Considers it important* to continue and expand its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories, and to this end, requests the

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[160] The draft resolution recommended in the report of the Fourth Committee was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[161] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. III.

[162] A/56/61, annex.

Department of Public Information to empower the United Nations information centres in the relevant regions to disseminate material to the Non-Self-Governing Territories;

3. *Requests* the Secretary-General to further enhance the information provided on the United Nations decolonization website by including the full series of reports of the regional seminars on decolonization, the statements and scholarly papers presented at those seminars and links to the full series of reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

4. *Requests* the Department of Public Information to continue its efforts to update web-based information on the assistance programmes available to the Non-Self-Governing Territories;

5. *Requests* the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee and to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(*a*) To develop procedures to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of the Non-Self-Governing Territories;

(*b*) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(*c*) To explore the idea of a programme of collaboration with the decolonization focal points of territorial Governments, particularly in the Pacific and Caribbean regions, to help improve the exchange of information;

(*d*) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(*e*) To encourage the involvement of Non-Self-Governing Territories in the dissemination of information on decolonization;

(*f*) To report to the Special Committee on measures taken in the implementation of the present resolution;

6. *Requests* all States, including the administering Powers, to accelerate the dissemination of information referred to in paragraph 2 above;

7. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/110

Adopted at the 64th plenary meeting, on 5 December 2008, on the recommendation of the Committee (A/63/408, para. 37),[163] by a recorded vote of 177 to 3, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: France

63/110. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[164]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to

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[163] The draft resolution recommended in the report of the Fourth Committee was submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

[164] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* and addendum (A/63/23 and Add.1).

Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 62/120 of 17 December 2007, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism by 2010, as called for in its resolution 55/146,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with interest the cooperation and active participation of some administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Taking note that the Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May 2008,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all steps necessary to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[165]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with the relevant resolutions of the United Nations on decolonization;

5. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

6. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and the October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

7. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(*a*) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixty-fourth session;

(*b*) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(*c*) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(*d*) To develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

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[165] Resolution 217 A (III).

(*e*) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(*f*) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(*g*) To take all steps necessary to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(*h*) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[166]

8. *Recognizes* that the plan of action for the Second International Decade for the Eradication of Colonialism[167] represents an important legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance as needed to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2008,[164] including the programme of work envisaged for 2009;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

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[166] See resolution 54/91.

[167] A/56/61, annex.

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RESOLUTION 63/32

Adopted at the 60th plenary meeting, on 26 November 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.4, para. 8)[1]

63/32. Protection of global climate for present and future generations

The General Assembly,

Recalling its resolutions 43/53 of 6 December 1988, 54/222 of 22 December 1999, 61/201 of 20 December 2006 and 62/86 of 10 December 2007 and other resolutions and decisions relating to the protection of the global climate for present and future generations of mankind,

Recalling also the provisions of the United Nations Framework Convention on Climate Change,[2] including the acknowledgement that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

Recalling further the United Nations Millennium Declaration,[3] in which Heads of State and Government resolved to make every effort to ensure the entry into force of the Kyoto Protocol and to embark on the required reduction in emissions of greenhouse gases,[4]

Recalling the Johannesburg Declaration on Sustainable Development,[5] the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[6] the outcome of the thirteenth session of the Conference of the Parties to the Convention and the third session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, held in Bali, Indonesia, from 3 to 15 December 2007,[7] and the outcomes of all previous sessions,

Reaffirming the Programme of Action for the Sustainable Development of Small Island Developing States,[8] the Mauritius Declaration[9] and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[10]

Recalling the 2005 World Summit Outcome,[11]

Remaining deeply concerned that all countries, in particular developing countries, including the least developed countries and small island developing States, face increased risks from the negative effects of climate change, and stressing the need to address adaptation needs relating to such effects,

Noting that, to date, there are one hundred and ninety-two parties to the Convention, including one hundred and ninety-one States and one regional economic integration organization,

Noting also that, currently, the Kyoto Protocol to the United Nations Framework Convention on Climate Change[12] has attracted one hundred and eighty-three ratifications, accessions, acceptances or approvals, including by thirty-nine parties included in annex I to the Convention,

Noting further the amendment to annex B to the Kyoto Protocol,[13]

Noting the work of the Intergovernmental Panel on Climate Change and the need to build and enhance scientific and technological capabilities, inter alia, through continuing support to the Panel for the exchange of scientific data and information, especially in developing countries,

Noting also the significance of the scientific findings of the fourth assessment report of the Intergovernmental Panel on Climate Change, providing an integrated scientific, technical and socio-economic perspective on relevant issues and contributing positively to the discussions under the Convention and the understanding of the phenomenon of climate change, including its impacts and risks,

Reaffirming that economic and social development and poverty eradication are global priorities,

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[1] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[2] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[3] See resolution 55/2.

[4] Ibid., para. 23.

[5] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[6] Ibid., resolution 2, annex.

[7] FCCC/CP/2007/6/Add.1 and 2 and FCCC/KP/CMP/2007/9/Add.1 and 2.

[8] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[9] *Report of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, Port Louis, Mauritius, 10–14 January 2005* (United Nations publication, Sales No. E.05.II.A.4 and corrigendum), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] See resolution 60/1.

[12] United Nations, *Treaty Series*, vol. 2303, No. 30822.

[13] FCCC/KP/CMP/2006/10/Add.1, decision 10/CMP.2.

Recognizing that deep cuts in global emissions will be required to achieve the ultimate objective of the Convention,

Reaffirming its commitment to the ultimate objective of the Convention, namely, to stabilize greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system,

Noting with appreciation the efforts of the Secretary-General in raising awareness of the need to respond to the global challenge of climate change,

Taking note of the Beijing High-level Conference on Climate Change: Technology Development and Technology Transfer, held in Beijing on 7 and 8 November 2008, and the third World Climate Conference on the theme "Climate prediction and information for decision-making", to be held in Geneva from 31 August to 4 September 2009,

Acknowledging women as key actors in the efforts towards sustainable development, and recognizing that a gender perspective can contribute to efforts to address climate change,

Taking note of the note by the Secretary-General[14] transmitting the report of the Executive Secretary of the United Nations Framework Convention on Climate Change,[15]

1. *Stresses* the seriousness of climate change, and calls upon States to work cooperatively towards achieving the ultimate objective of the United Nations Framework Convention on Climate Change[2] through the urgent implementation of its provisions;

2. *Urges* parties to the Convention, and invites parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change,[12] to continue to make use of the information contained in the fourth assessment report of the Intergovernmental Panel on Climate Change in their work;

3. *Notes* that States that have ratified the Kyoto Protocol welcome the entry into force of the Protocol on 16 February 2005 and strongly urge States that have not yet done so to ratify it in a timely manner;

4. *Takes note* of the outcome of the thirteenth session of the Conference of the Parties to the Convention and the third session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, hosted by the Government of Indonesia from 3 to 15 December 2007;[7]

5. *Welcomes* the decisions adopted during the thirteenth session of the Conference of the Parties to the Convention, including the Bali Action Plan,[16] by which the Conference of the Parties decided to launch a comprehensive process aimed at enabling the full, effective and sustained implementation of the Convention through long-term cooperative action, now, up to and beyond 2012, in order to reach an agreed outcome and adopt a decision at the fifteenth session of the Conference of the Parties, and takes note of the work under way in the open-ended ad hoc working group of parties to the Kyoto Protocol established under decision 1/CMP.1;[17]

6. *Notes* that States that have ratified the Kyoto Protocol welcome the launch of the Adaptation Fund during the third session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol,[18] and notes also that developing-country parties to the Kyoto Protocol that are particularly vulnerable to the adverse effects of climate change are eligible for funding from the Adaptation Fund to assist them in meeting the costs of adaptation and look forward to its early operationalization;

7. *Takes note with appreciation* of the offer of the Government of Poland to host the fourteenth session of the Conference of the Parties and the fourth session of the Meeting of the Parties to the Kyoto Protocol, to be held in Poznań, from 1 to 12 December 2008, and looks forward to a successful outcome, including advancement towards an agreed outcome in 2009;

8. *Also takes note with appreciation*, in this regard, of the offer of the Government of Denmark to host the fifteenth session of the Conference of the Parties and the fifth session of the Meeting of the Parties to the Kyoto Protocol, to be held in Copenhagen from 30 November to 11 December 2009;

9. *Recognizes* that climate change poses serious risks and challenges to all countries, particularly to developing countries, especially the least developed countries, landlocked developing countries, small island developing States and countries in Africa, including those that are particularly vulnerable to the adverse effects of climate change, and calls upon States to take urgent global action to address climate change in accordance with the principles identified in the Convention, including the principle of common but differentiated responsibilities and respective capabilities, and, in this regard, urges all countries to fully implement their commitments under the Convention, to take effective and concrete actions and measures at all levels, and to enhance international cooperation in the framework of the Convention;

10. *Reaffirms* that efforts to address climate change in a manner that enhances the sustainable development and sustained economic growth of the developing countries and the eradication of poverty should be carried out through promoting the integration of the three components of sustainable development,

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[14] A/63/294.

[15] Ibid., sect. I.

[16] See FCCC/CP/2007/6/Add.1, decision 1/CP.13.

[17] Entitled "Consideration of commitments for subsequent periods for Parties included in Annex I to the Convention under article 3, paragraph 9, of the Kyoto Protocol", as contained in document FCCC/KP/CMP/2005/8/Add.1.

[18] See FCCC/KP/CMP/2007/9/Add.1, decision 1/CMP.3.

namely, economic development, social development and environmental protection, as interdependent and mutually reinforcing pillars, in an integrated, coordinated and balanced manner;

11. *Recognizes* the need to provide financial and technical resources, as well as capacity-building and access to and transfer of technology, to assist those developing countries adversely affected by climate change;

12. *Calls upon* the international community to fulfil the commitments made during the fourth replenishment of the Global Environment Facility Trust Fund;

13. *Notes* the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the Framework Convention, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[19] and the Convention on Biological Diversity,[20] and encourages cooperation to promote complementarities among the three secretariats while respecting their independent legal status;

14. *Invites* the conferences of the parties to the multilateral environmental conventions, when setting the dates of their meetings, to take into consideration the schedule of meetings of the General Assembly and the Commission on Sustainable Development so as to ensure the adequate representation of developing countries at those meetings;

15. *Invites* the secretariat of the Framework Convention to report, through the Secretary-General, to the General Assembly at its sixty-fourth session on the work of the Conference of the Parties;

16. *Decides* to include in the provisional agenda of its sixty-fourth session the sub-item entitled "Protection of global climate for present and future generations".

RESOLUTION 63/201

Adopted at the 72nd plenary meeting, on 19 December 2008, on the recommendation of the Committee (A/63/410, para. 11),[21] by a recorded vote of 164 to 8, with 5 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Cameroon, Côte d'Ivoire, Fiji, Tonga, Vanuatu

63/201. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 62/181 of 19 December 2007, and taking note of Economic and Social Council resolution 2008/31 of 25 July 2008,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[22] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

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[19] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[20] Ibid., vol. 1760, No. 30619.

[21] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Bahrain, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Namibia, Nicaragua, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine.

[22] United Nations, *Treaty Series*, vol. 75, No. 973.

Recalling, in this regard, the International Covenant on Civil and Political Rights[23] and the International Covenant on Economic, Social and Cultural Rights,[23] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[24] and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees,

Expressing its concern at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, which, inter alia, pollutes the environment and negatively affects the natural resources of the Palestinian people,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative,[25] and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,[26] as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein as a step towards the implementation of the road map,

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note with appreciation of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,[27]

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, damage, cause loss or depletion of, or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice[24] and in resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of

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[23] See resolution 2200 A (XXI), annex.

[24] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[25] A/56/1026-S/2002/932, annex II, resolution 14/221.

[26] See S/2003/529, annex.

[27] A/63/74-E/2008/13.

the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and pose an environmental hazard and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to it at its sixty-fourth session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-fourth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

RESOLUTION 63/202

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/411, para. 11)[28]

63/202. Information and communication technologies for development

The General Assembly,

Recalling its resolution 55/2 of 8 September 2000, by which it adopted the United Nations Millennium Declaration,

Recalling also its resolutions 56/183 of 21 December 2001, 57/238 of 20 December 2002, 57/270 B of 23 June 2003, 59/220 of 22 December 2004 and 62/182 of 19 December 2007, Economic and Social Council resolution 2008/3 of 18 July 2008 and other relevant resolutions,

Noting that cultural diversity is the common heritage of humankind and that the information society should be founded on and stimulate respect for cultural identity, cultural and linguistic diversity, traditions and religions, and foster dialogue among cultures and civilizations, and noting also that the promotion, affirmation and preservation of diverse cultural identities and languages as reflected in relevant agreed United Nations documents, including the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization,[29] will further enrich the information society,

Recalling the Declaration of Principles and the Plan of Action adopted by the World Summit on the Information Society at its first phase, held in Geneva from 10 to 12 December 2003,[30] as endorsed by the General Assembly,[31] and the Tunis Commitment and the Tunis Agenda for the Information Society adopted by the Summit at its second phase, held in Tunis from 16 to 18 November 2005,[32] and endorsed by the General Assembly,[33]

Recalling also the 2005 World Summit Outcome,[34]

Stressing the need to reduce the digital divide and to ensure that the benefits of new technologies, especially information and communication technologies, are available to all,

Recalling the first and second meetings of the Internet Governance Forum, held in Athens from 30 October to 2 November 2006 and in Rio de Janeiro, Brazil, from 12 to 15 November 2007, respectively, and welcoming the convening of the third meeting of the Forum in Hyderabad, India, from 3 to 6 December 2008,

Welcoming, in view of the existing gaps in information and communication technologies infrastructure across Africa, the launching in Kigali, in October 2007, of Connect Africa, an initiative aimed at mobilizing human, financial and technical resources to accelerate the implementation of the connectivity goals of the World Summit on the Information Society,

Recognizing the role of the Commission on Science and Technology for Development in assisting the Economic and Social Council as the focal point in the system-wide follow-up, in particular the review and assessment, of progress made in implementing the outcomes of the World Summit on the Information Society, while at the same time maintaining its original mandate on science and technology for development,

Recalling Economic and Social Council resolution 2007/8 of 25 July 2007, in which, inter alia, the Council requested various entities, including the Global Alliance for Information and Communication Technologies and Development, to submit reports to the Commission on the implications of the outcomes of the World Summit on the Information Society,

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[28] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[29] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October–3 November 2001*, vol. I and corrigendum, *Resolutions*, chap. V, resolution 25, annex I.

[30] See A/C.2/59/3, annex.

[31] See resolution 59/220.

[32] See A/60/687.

[33] See resolution 60/252.

[34] See resolution 60/1.

Taking note of the report of the Secretary-General to the Commission on the implementation of the outcomes of the World Summit on the Information Society,[35]

Noting the intersessional meeting of the Commission, held in Santiago from 12 to 14 November 2008,

Stressing that, for the majority of the poor, the developmental promise of science and technology, including information and communication technologies, remains unfulfilled, and emphasizing the need to effectively harness technology, including information and communication technologies, to bridge the digital divide,

Recognizing the pivotal role of the United Nations system in promoting development, including with respect to enhancing access to information and communication technologies, inter alia, through partnerships with all relevant stakeholders,

1. *Recognizes* that information and communication technologies have the potential to provide new solutions to development challenges, particularly in the context of globalization, and can foster economic growth, competitiveness, access to information and knowledge, poverty eradication and social inclusion that will help to expedite the integration of all countries, particularly developing countries, into the global economy;

2. *Stresses* the important role of Governments in the design of public policies and in the provision of public services responsive to national needs and priorities through, inter alia, making effective use of information and communication technologies, on the basis of a multi-stakeholder approach, to support national development efforts;

3. *Recognizes* that, in addition to financing by the public sector, financing of information and communication technologies infrastructure by the private sector has come to play an important role in many countries and that domestic financing is being augmented by North-South flows and South-South cooperation;

4. *Also recognizes* that information and communication technologies present new opportunities and challenges, and that there is a pressing need to address the major impediments that developing countries face in accessing the new technologies, such as insufficient resources, infrastructure, education, capacity, investment and connectivity and issues related to technology ownership, standards and flows, and in this regard calls upon all stakeholders to provide adequate resources, enhanced capacity-building and technology transfer, on mutually agreed terms, to developing countries, particularly the least developed countries;

5. *Further recognizes* the immense potential that information and communication technologies have in promoting the transfer of technologies in a wide spectrum of socio-economic activity;

6. *Acknowledges* that a gender divide exists as part of the digital divide, and encourages all stakeholders to ensure the full participation of women in the information society and women's access to the new technologies, especially information and communication technologies for development;

7. *Recalls* the improvements and innovations in financial mechanisms, including the creation of a voluntary Digital Solidarity Fund, as mentioned in the Geneva Declaration of Principles,[30] and, in this regard, invites voluntary contributions to its financing;

8. *Recognizes* that South-South cooperation, particularly through triangular cooperation, can be a useful tool to promote the development of information and communication technologies;

9. *Encourages* strengthened and continuing cooperation between and among stakeholders to ensure effective implementation of the outcomes of the Geneva[30] and Tunis[32] phases of the World Summit on the Information Society, through, inter alia, the promotion of national, regional and international multi-stakeholder partnerships, including public-private partnerships, and the promotion of national and regional multi-stakeholder thematic platforms, in a joint effort and dialogue with developing and least developed countries, development partners and actors in the information and communication technologies sector;

10. *Encourages* the United Nations funds and programmes and the specialized agencies, within their respective mandates, to contribute to the implementation of the outcomes of the World Summit on the Information Society, and emphasizes the need for resources in this regard;

11. *Recognizes* the urgent need to harness the potential of knowledge and technology, and in that regard encourages the United Nations development system to continue its effort to promote the use of information and communication technologies as a critical enabler of development and a catalyst for the achievement of the internationally agreed development goals, including the Millennium Development Goals;

12. *Requests* the Secretary-General to submit to the Economic and Social Council at its substantive session of 2009, on the basis of his consultations with all relevant organizations, including international organizations, a report which may contain recommendations on how the process towards enhanced cooperation should be pursued;

13. *Invites* Member States to support the meaningful participation of stakeholders from developing countries in the preparatory meetings of the Internet Governance Forum and in the Forum itself in 2009 and 2010, and to consider contributing to the multi-stakeholder trust fund created for the Forum, as appropriate;

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[35] A/63/72-E/2008/48.

14. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session, through the Economic and Social Council, a report on the status of the implementation of and follow-up to the present resolution.

RESOLUTION 63/203

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/412/Add.1, para. 10)[36]

63/203. International trade and development

The General Assembly,

Recalling its resolutions 56/178 of 21 December 2001, 57/235 of 20 December 2002, 58/197 of 23 December 2003, 59/221 of 22 December 2004, 60/184 of 22 December 2005, 61/186 of 20 December 2006 and 62/184 of 19 December 2007 on international trade and development, and recalling also the provisions of the United Nations Millennium Declaration[37] pertaining to trade and related development issues, as well as the outcomes of the International Conference on Financing for Development[38] and the World Summit on Sustainable Development,[39] the 2005 World Summit Outcome[40] and General Assembly resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the Summit, and the Accra Accord adopted by the United Nations Conference on Trade and Development at its twelfth session, held from 20 to 25 April 2008,[41]

1. *Takes note* of the report of the Secretary-General on international trade and development[42] and the report of the Trade and Development Board on its fifty-fifth session, held from 15 to 26 September 2008;[43]

2. *Notes* the deliberations held in the context of the preparatory process for the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008, at which the issue of international trade and development was substantively addressed;

3. *Stresses* the importance of the continued substantive consideration of the issue of international trade and development;

4. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "International trade and development";

5. *Requests* the Secretary-General, in collaboration with the secretariat of the United Nations Conference on Trade and Development, to submit to the General Assembly at its sixty-fourth session a report on international trade and development.

RESOLUTION 63/204

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/412/Add.1, para. 10)[44]

63/204. Report of the twelfth session of the United Nations Conference on Trade and Development

The General Assembly

1. *Notes with satisfaction* the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008, specifically the Accra Declaration[45] and the Accra Accord;[46]

2. *Expresses its deep gratitude* to the Government and people of Ghana for the hospitality extended to participants in the twelfth session of the Conference;

3. *Welcomes* the generous offer of the Government of Qatar to host the thirteenth session of the Conference in 2012.

RESOLUTION 63/205

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/412/Add.2, para. 8)[47]

63/205. International financial system and development

The General Assembly,

Recalling its resolutions 55/186 of 20 December 2000 and 56/181 of 21 December 2001, both entitled "Towards a strengthened and stable international financial architecture responsive to the priorities of growth and development, especially in developing countries, and to the promotion of economic and social equity", as well as its resolutions 57/241 of 20 December 2002, 58/202 of 23 December 2003, 59/222 of 22 December 2004, 60/186 of 22 December 2005, 61/187 of 20 December 2006 and 62/185 of 19 December 2007,

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[36] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[37] See resolution 55/2.

[38] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[39] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

[40] See resolution 60/1.

[41] TD/442 and Corr.1, chap. II

[42] A/63/324.

[43] A/63/15 (Part IV). For the final text, see *Official Records of the General Assembly, Sixty-third Session, Supplement No. 15*.

[44] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[45] TD/442 and Corr.1, chap. I.

[46] Ibid., chap. II.

[47] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

Recalling also the United Nations Millennium Declaration[48] and its resolution 56/210 B of 9 July 2002, in which it endorsed the Monterrey Consensus of the International Conference on Financing for Development,[49] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[50]

Recalling further the 2005 World Summit Outcome,[51]

Recalling its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, and its resolution 61/16 of 20 November 2006 on strengthening of the Economic and Social Council,

1. *Takes note* of the report of the Secretary-General;[52]

2. *Expresses concern* at the impact of the current global financial crisis on development, and notes that its impact on financing for development was addressed at the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008;

3. *Stresses* the importance of the continued substantive consideration by the General Assembly of the issue of the international financial system and development, and in this regard notes the deliberations held in the context of the preparatory process for the Follow-up International Conference on Financing for Development, at which this issue was addressed;

4. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "International financial system and development";

5. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the international financial system and development.

RESOLUTION 63/206

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/412/Add.3, para. 7)[53]

63/206. External debt and development: towards a durable solution to the debt problems of developing countries

The General Assembly,

Recalling its resolutions 58/203 of 23 December 2003, 59/223 of 22 December 2004, 60/187 of 22 December 2005 and 61/188 of 20 December 2006, and 62/186 of 19 December 2007, entitled "External debt and development: towards a durable solution to the debt problems of developing countries",

Recalling also the International Conference on Financing for Development and its outcome,[54] which recognizes sustainable debt financing as an important element for mobilizing resources for public and private investment,

Recalling further the United Nations Millennium Declaration adopted on 8 September 2000,[55]

Recalling the 2005 World Summit Outcome,[56]

Recalling also its resolution 60/265 of 30 June 2006 on follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and other internationally agreed development goals,

Recalling further its resolution 57/270 B of 23 June 2003,

1. *Takes note* of the report of the Secretary-General;[57]

2. *Notes* the deliberations held in the context of the preparatory process for the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008, at which the issue of "External debt and development: towards a durable solution to the debt problems of developing countries" was substantively addressed;

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[48] See resolution 55/2.

[49] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[50] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[51] See resolution 60/1.

[52] A/63/96.

[53] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[54] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[55] See resolution 55/2.

[56] See resolution 60/1.

[57] A/63/181.

3. *Stresses* the importance of the continued substantive consideration of the sub-item entitled "External debt and development: towards a durable solution to the debt problems of developing countries";

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a comprehensive report on the issue;

5. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "External debt and development: towards a durable solution to the debt problems of developing countries".

RESOLUTION 63/207

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/412/Add.4, para. 5)[58]

63/207. Commodities

The General Assembly,

Recalling its resolutions 59/224 of 22 December 2004 and 61/190 of 20 December 2006 on commodities,

Recalling also the United Nations Millennium Declaration adopted by Heads of State and Government on 8 September 2000,[59] the 2005 World Summit Outcome adopted on 16 September 2005[60] and its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals, and the other internationally agreed development goals,

Recalling further the International Conference on Financing for Development and its outcome,[61]

Recalling the Plan of Implementation of the World Summit on Sustainable Development,[62]

Recalling also the Programme of Action for the Least Developed Countries for the Decade 2001–2010[63] and the outcome of the high-level meeting of the sixty-first session of the General Assembly on the midterm comprehensive global review of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010, held in New York on 18 and 19 September 2006,[64] and taking note of *The Least Developed Countries Report, 2008: Growth, Poverty and the Terms of Development Partnership*,[65]

Taking note of the Arusha Declaration and Plan of Action on African Commodities adopted at the African Union Conference of Ministers of Trade on Commodities, held in Arusha, United Republic of Tanzania, from 21 to 23 November 2005,[66] and endorsed by the Executive Council of the African Union at its eighth ordinary session, held in Khartoum from 16 to 21 January 2006,[67]

Taking note also of the Accra Accord,[68] adopted by the United Nations Conference on Trade and Development at its twelfth session, which addresses, inter alia, commodities issues,

1. *Takes note* of the note by the Secretary-General transmitting the report on world commodity trends and prospects prepared by the secretariat of the United Nations Conference on Trade and Development;[69]

2. *Notes* the deliberations held in the context of the preparatory process for the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008;

3. *Stresses* the importance of the continuing substantive consideration of the sub-item entitled "Commodities";

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on commodities;

5. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "Commodities", to be considered thereafter on a biennial basis.

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[58] The draft resolution recommended in the report was sponsored in the Committee by Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[59] See resolution 55/2.

[60] See resolution 60/1.

[61] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[62] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[63] A/CONF.191/13, chap. II.

[64] See resolution 61/1.

[65] United Nations publication, Sales No. E.08.II.D.20.

[66] African Union, document AU/Min/Com/Decl.Rev.1.

[67] See A/60/693, annex II, decision EX.CL/Dec.253 (VIII).

[68] TD/442 and Corr.1, chap. II.

[69] A/63/267.

RESOLUTION 63/208

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/413 (Part II), para. 6)[70]

63/208. Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus

The General Assembly,

Recalling the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, and its resolutions 56/210 B of 9 July 2002, 57/250 of 20 December 2002, 57/270 B of 23 June 2003, 57/272 and 57/273 of 20 December 2002, 58/230 of 23 December 2003, 59/225 of 22 December 2004, 60/188 of 22 December 2005, 61/191 of 20 December 2006 and 62/187 of 19 December 2007, as well as Economic and Social Council resolutions 2002/34 of 26 July 2002, 2003/47 of 24 July 2003, 2004/64 of 16 September 2004, 2006/45 of 28 July 2006, 2007/30 of 27 July 2007 and 2008/14 of 24 July 2008,

Recalling also the 2005 World Summit Outcome,[71]

Recalling further its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, and its resolution 61/16 of 20 November 2006 on the strengthening of the Economic and Social Council,

Taking note of the report of the Secretary-General,[72]

Taking note also of the summary by the President of the General Assembly of the High-level Dialogue on Financing for Development, held in New York from 23 to 25 October 2007,[73]

Taking note further of the summary by the President of the Economic and Social Council of the special high-level meeting of the Council with the Bretton Woods institutions, the World Trade Organization and the United Nations Conference on Trade and Development, held in New York on 14 April 2008,[74]

Welcoming with appreciation the efforts undertaken by the Government of Qatar to organize the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,

Welcoming the work undertaken by the President of the General Assembly during the sixty-second session of the Assembly, by means of direct intergovernmental consultations of the whole, with the participation of all Member States and the major institutional stakeholders involved in the financing for development process, on all issues related to the Review Conference, and taking note of the summaries of those consultations,[75]

1. *Notes* the deliberations held in the context of the preparatory process for the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008;

2. *Stresses* the importance of continued discussions on the issue of financing for development;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the progress made in the implementation of the Monterrey Consensus of the International Conference on Financing for Development;[76]

4. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference".

RESOLUTION 63/209

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414 and Corr.1, para. 20)[77]

63/209. International Year of Chemistry

The General Assembly,

Recalling its resolution 61/185 of 20 December 2006 on the proclamation of international years,

Recognizing that humankind's understanding of the material nature of our world is grounded, in particular, in our knowledge of chemistry,

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[70] The draft resolution recommended in the report was sponsored in the Committee by Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[71] See resolution 60/1.

[72] A/63/179.

[73] A/62/550.

[74] A/63/80-E/2008/67.

[75] A/62/921.

[76] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[77] The draft resolution recommended in the report was sponsored in the Committee by: Armenia, Brazil, Chile, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Guyana, Iraq, Israel, Japan, Kenya, Libyan Arab Jamahiriya, Malawi, Morocco, Nigeria, Oman, Philippines, Republic of Korea, Rwanda, Sierra Leone, South Africa, Swaziland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Republic of Tanzania, Uruguay, Viet Nam and Yemen.

Stressing that education in and about chemistry is critical in addressing challenges such as global climate change, in providing sustainable sources of clean water, food and energy and in maintaining a wholesome environment for the well-being of all people,

Considering that the science of chemistry and its applications produce medicines, fuels, metals and virtually all other manufactured products,

Being aware that the year 2011 provides the opportunity to celebrate the contributions of women to science on the one-hundredth anniversary of the awarding of the Nobel Prize in Chemistry to Maria Sklodowska-Curie,

Being aware also that the year 2011 provides the opportunity to highlight the need for international scientific collaboration on the one-hundredth anniversary of the founding of the International Association of Chemical Societies,

Noting the adoption by the Executive Board of the United Nations Educational, Scientific and Cultural Organization at its one hundred and seventy-ninth session of a proposal for the proclamation by the United Nations of 2011 as the International Year of Chemistry, and noting also the unanimous resolution of the International Union of Pure and Applied Chemistry, at its 2007 Council meeting, to have 2011 proclaimed the International Year of Chemistry,

Recognizing the leading role of the International Union of Pure and Applied Chemistry in coordinating and promoting chemistry activities at the national and regional levels around the world,

1. *Decides* to proclaim 2011 the International Year of Chemistry;

2. *Designates* the United Nations Educational, Scientific and Cultural Organization as the lead agency and focal point for the Year and invites it to organize activities to be realized during the Year, in collaboration with other relevant entities of the United Nations system, the International Union of Pure and Applied Chemistry and its associated organizations and federations across the world, and, in this regard, notes that the activities of the Year will be funded from voluntary contributions, including from the private sector;

3. *Encourages* all Member States, the United Nations system and all other actors to take advantage of the Year to promote actions at all levels aimed at increasing awareness among the public of the importance of chemistry and promoting widespread access to new knowledge and to chemistry activities.

RESOLUTION 63/210

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414 and Corr.1, para. 20)[78]

63/210. Reliable and stable transit of energy and its role in ensuring sustainable development and international cooperation

The General Assembly,

Bearing in mind the growing role of the transit of energy in global processes,

Recognizing the importance of Central Asia and all other transportation and communication hubs and their vital role in the production of energy and its transportation to international markets,

Noting that stable, efficient and reliable energy transportation, as a key factor of sustainable development, is in the interest of the entire international community,

Reiterating the principles of the Rio Declaration on Environment and Development[79] and of Agenda 21,[80] and recalling the recommendations and conclusions contained in the Plan of Implementation of the World Summit on Sustainable Development[81] concerning energy for sustainable development,

1. *Welcomes* international cooperation in developing transportation systems and pipelines;

2. *Recognizes* the need for extensive international cooperation in determining ways of ensuring the reliable transportation of energy to international markets through pipelines and other transportation systems;

3. *Welcomes* the initiative of Turkmenistan to convene in 2009 a high-level international conference to discuss the issue of ensuring the reliable and stable transportation of energy to international markets.

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[78] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Chile, China, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Italy, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Mongolia, Montenegro, Netherlands, Pakistan, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Seychelles, Slovakia, Slovenia, Spain, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uzbekistan.

[79] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[80] Ibid., annex II.

[81] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

RESOLUTION 63/211

Adopted at the 72nd plenary meeting, on 19 December 2008, on the recommendation of the Committee (A/63/414 and Corr.1, para. 20),[82] by a recorded vote of 165 to 7, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Nauru, Palau, United States of America

Abstaining: Cameroon, Colombia

63/211. Oil slick on Lebanese shores

The General Assembly,

Recalling its resolutions 61/194 of 20 December 2006 and 62/188 of 19 December 2007 on the oil slick on Lebanese shores,

Reaffirming the outcome of the United Nations Conference on the Human Environment, especially principle 7 of the Declaration of the Conference,[83] in which States were requested to take all possible steps to prevent pollution of the seas,

Emphasizing the need to protect and preserve the marine environment in accordance with international law,

Taking into account the 1992 Rio Declaration on Environment and Development,[84] especially principle 16, in which it was stipulated that the polluter should, in principle, bear the cost of pollution, and taking into account also chapter 17 of Agenda 21,[85]

Noting again with great concern the environmental disaster caused by the destruction by the Israeli Air Force on 15 July 2006 of the oil storage tanks in the direct vicinity of El-Jiyeh electric power plant in Lebanon, resulting in an oil slick that covered the entirety of the Lebanese coastline and extended to the Syrian coastline,

Noting again with appreciation the assistance offered by donor countries and international organizations for the early recovery and reconstruction of Lebanon through bilateral and multilateral channels, including the Athens Coordination Meeting on the response to the marine pollution incident in the Eastern Mediterranean, held on 17 August 2006, as well as the Stockholm Conference for Lebanon's Early Recovery, held on 31 August 2006,

1. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 62/188 on the oil slick on Lebanese shores;[86]

2. *Reiterates the expression of its deep concern* about the adverse implications of the destruction by the Israeli Air Force of the oil storage tanks in the direct vicinity of the Lebanese El-Jiyeh electric power plant for the achievement of sustainable development in Lebanon;

3. *Considers* that the oil slick has heavily polluted the shores of Lebanon and partially polluted Syrian shores and consequently has had serious implications for livelihoods and the economy of Lebanon, owing to the adverse implications for natural resources, biodiversity, fisheries and tourism, and for human health, in the country;

4. *Requests* the Government of Israel to assume responsibility for prompt and adequate compensation to the Government of Lebanon and other countries directly affected by the oil slick, such as the Syrian Arab Republic whose shores have been partially polluted, for the costs of repairing the environmental damage caused by the destruction, including the restoration of the marine environment;

5. *Expresses its appreciation* for the efforts of the Government of Lebanon and those of the Member States,

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[82] The draft resolution recommended in the report was sponsored in the Committee by Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

[83] See *Report of the United Nations Conference on the Human Environment, Stockholm, 5–16 June 1972* (A/CONF.48/14/Rev.1), part one, chap. I.

[84] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[85] Ibid., annex II.

[86] A/63/225.

regional and international organizations, regional and international financial institutions, non-governmental organizations and the private sector in the initiation of clean-up and rehabilitation operations on the polluted shores, and encourages the Member States and above-mentioned entities to continue their financial and technical support to the Government of Lebanon towards achieving the completion of clean-up and rehabilitation operations, with the aim of preserving the ecosystem of Lebanon and that of the Eastern Mediterranean Basin;

6. *Decides* to establish an Eastern Mediterranean Oil Spill Restoration Trust Fund, based on voluntary contributions, to provide assistance and support to the States directly adversely affected in their integrated environmentally sound management, from clean-up to safe disposal of oily waste, of this environmental disaster resulting from the destruction of the oil storage tanks at El-Jiyeh electric power plant, and requests the Secretary-General to implement this decision before the end of the sixty-third session of the General Assembly;

7. *Invites* States, intergovernmental organizations, non-governmental organizations and the private sector to make voluntary financial contributions to the Trust Fund, and, in this regard, requests the Secretary-General to mobilize international technical and financial assistance in order to ensure that the Trust Fund has sufficient and adequate resources;

8. *Recognizes* the multidimensionality of the adverse impact of the oil slick, and requests the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution under the item entitled "Sustainable development".

RESOLUTION 63/212

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.1, para. 9)[87]

63/212. Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

The General Assembly,

Recalling its resolutions 55/199 of 20 December 2000, 56/226 of 24 December 2001, 57/253 of 20 December 2002, 57/270 A and B of 20 December 2002 and 23 June 2003, respectively, 61/195 of 20 December 2006 and 62/189 of 19 December 2007, and all other previous resolutions on the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development,

Recalling also the Rio Declaration on Environment and Development,[88] Agenda 21,[89] the Programme for the Further Implementation of Agenda 21,[90] the Johannesburg Declaration on Sustainable Development[91] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[92] as well as the Monterrey Consensus of the International Conference on Financing for Development,[93]

Reaffirming the commitment to implement Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Plan of Implementation, including the time-bound goals and targets, and the other internationally agreed development goals, including the Millennium Development Goals,

Recalling the 2005 World Summit Outcome,[94]

Reaffirming the decisions taken at the eleventh session of the Commission on Sustainable Development,[95]

Reiterating that sustainable development in its economic, social and environmental aspects is a key element of the overarching framework for United Nations activities, and reaffirming the continuing need to ensure a balance among economic development, social development and environmental protection as interdependent and mutually reinforcing pillars of sustainable development,

Noting that challenges remain in achieving the goals of the three pillars of sustainable development, particularly in the context of the current global crises,

Taking note of the proposal to convene a world summit on sustainable development in 2012,

Bearing in mind the need for further consultations on this matter, in the light of the variety of views expressed by Member

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[87] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[88] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[89] Ibid., annex II.

[90] Resolution S-19/2, annex.

[91] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[92] Ibid., resolution 2, annex.

[93] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[94] See resolution 60/1.

[95] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I.

States, recognizing that the preparatory process, content, modalities and timing for such a possible high-level event on sustainable development would need to be determined taking into account the work of the Commission, particularly as established in its multi-year programme of work,[96] with a view to avoiding duplication of work,

Recalling the adoption of the Commission multi-year programme of work designed to contribute to advancing the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation at all levels,

Reaffirming that eradicating poverty, changing unsustainable patterns of production and consumption and protecting and managing the natural resource base of economic and social development are overarching objectives of and essential requirements for sustainable development,

Recognizing that good governance within each country and at the international level is essential for sustainable development,

Recalling that the Johannesburg Plan of Implementation designated the Commission to serve as the focal point for discussion on partnerships that promote sustainable development and contribute to the implementation of intergovernmental commitments in Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation,

Recognizing that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, and that although each country has the primary responsibility for its own sustainable development and poverty eradication and the role of national policies and development strategies cannot be overemphasized, concerted and concrete measures are required at all levels to enable developing countries to achieve their sustainable development goals as related to the internationally agreed poverty-related targets and goals, including those contained in Agenda 21, the relevant outcomes of other United Nations conferences and the United Nations Millennium Declaration,[97]

Recalling that the Economic and Social Council should increase its role in overseeing system-wide coordination and the balanced integration of economic, social and environmental aspects of United Nations policies and programmes aimed at promoting sustainable development, and reaffirming that the Commission should continue to be the high-level commission on sustainable development within the United Nations system and serve as a forum for consideration of issues related to integration of the three dimensions of sustainable development,

Recalling also that agriculture, rural development, land, drought and desertification are interlinked and should be addressed in an integrated manner, taking into account economic, social and environmental dimensions of sustainable development, related sectoral policies and cross-cutting issues including means of implementation, as identified at the eleventh session of the Commission,

Recognizing the problems and constraints that African countries are facing in the areas of agriculture, rural development, land, drought and desertification, and emphasizing that those problems and constraints should be adequately addressed during the seventeenth session of the Commission, which will be a policy session,

Recalling the decision of the Commission at its eleventh session,[98] endorsed by the Economic and Social Council in its resolution 2003/61 of 25 July 2003, that the Commission, at its policy sessions, to be held in April/May of the second year of the cycle of the Commission's work programme, would take policy decisions on practical measures and options to expedite implementation in the selected thematic cluster of issues, taking account of the discussions of the Intergovernmental Preparatory Meeting, the reports of the Secretary-General and other relevant inputs,

Recalling also the decision of the Commission at its eleventh session[99] that the discussions of the Intergovernmental Preparatory Meeting would be based on the outcome of the review session and reports of the Secretary-General, as well as other relevant inputs, and that, on the basis of those discussions, the Chair would prepare a draft negotiating document for consideration at the policy session,

Recognizing the importance of the Intergovernmental Preparatory Meeting in respect of discussing policy options and possible actions to address the constraints and obstacles in the process of implementation identified during the review year,

Noting with satisfaction that the Commission at its sixteenth session undertook an in-depth evaluation of progress in implementing Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, focusing on the thematic cluster of issues on agriculture, rural development, land, drought, desertification and Africa, taking into account the interlinkages as well as addressing the cross-cutting issues, and identified best practices, constraints and obstacles in the process of implementation,[100]

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[96] Ibid., sect. A, draft resolution I, annex.

[97] See resolution 55/2.

[98] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A, draft resolution I, para. 2 (*h*).

[99] Ibid., para. 2 (*g*).

[100] Ibid., *2008, Supplement No. 9* (E/2008/29), chap. II.

Noting with satisfaction also the review of the implementation of the Commission's decisions on water, held by the Commission at its sixteenth session,

1. *Takes note* of the report of the Secretary-General;[101]

2. *Reiterates* that sustainable development is a key element of the overarching framework for United Nations activities, in particular for achieving the internationally agreed development goals, including the Millennium Development Goals, and those contained in the Johannesburg Plan of Implementation;[92]

3. *Calls upon* Governments, all relevant international and regional organizations, the Economic and Social Council, the United Nations funds and programmes, the regional commissions and the specialized agencies, the international financial institutions, the Global Environment Facility and other intergovernmental organizations, in accordance with their respective mandates, as well as major groups, to take action to ensure the effective implementation of and follow-up to the commitments, programmes and time-bound targets adopted at the World Summit on Sustainable Development, and encourages them to report on concrete progress in that regard;

4. *Calls for* the effective implementation of the commitments, programmes and time-bound targets adopted at the World Summit on Sustainable Development and for the fulfilment of the provisions relating to the means of implementation, as contained in the Johannesburg Plan of Implementation;

5. *Invites* Member States to express their views on the possibility of convening a high-level event on sustainable development, and requests the Secretary-General, in his report on the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development, to include the views expressed, and decides to consider this matter further at the sixty-fourth session of the General Assembly;

6. *Reiterates* that the Commission on Sustainable Development is the high-level body responsible for sustainable development within the United Nations system and serves as a forum for the consideration of issues related to the integration of the three dimensions of sustainable development;

7. *Emphasizes* the importance of a consensus outcome and action-oriented policy sessions;

8. *Encourages* Governments to participate at the appropriate level with representatives, including ministers, from the relevant departments and organizations working in the areas of agriculture, rural development, land, drought, desertification and Africa, as well as finance, in the seventeenth session of the Commission and its Intergovernmental Preparatory Meeting;

9. *Recalls* the decision of the Commission at its eleventh session that activities during Commission meetings should provide for the balanced involvement of participants from all regions, as well as for gender balance;[102]

10. *Invites* donor countries to consider supporting the participation of representatives from the developing countries in the seventeenth session of the Commission and its Intergovernmental Preparatory Meeting, inter alia, through contributions to the Commission's trust fund;

11. *Reaffirms* the objective of strengthening the implementation of Agenda 21,[89] including through the mobilization of financial and technological resources, as well as capacity-building programmes, in particular for developing countries;

12. *Invites* donor Governments and international financial institutions to support the efforts of developing countries to overcome barriers and constraints identified during the review year in the thematic cluster of issues of agriculture, rural development, land, drought, desertification and Africa;

13. *Reaffirms* the objective of enhancing the participation and effective involvement of civil society and other relevant stakeholders, as well as promoting transparency and broad public participation, in the implementation of Agenda 21;

14. *Requests* the secretariat of the Commission to coordinate the participation of the relevant major groups in the thematic discussions at the seventeenth session of the Commission and its Intergovernmental Preparatory Meeting and the reporting on the fulfilment of corporate accountability and responsibility with respect to the thematic cluster of issues, in accordance with the provisions of the Johannesburg Plan of Implementation;

15. *Reaffirms* the need to promote corporate responsibility and accountability as envisaged by the Johannesburg Plan of Implementation;

16. *Also reaffirms* the need to promote the development of microenterprises and small and medium-sized enterprises, including by means of training, education and skill enhancement, with a special focus on agro-industry as a provider of livelihoods for rural communities;

17. *Requests* the secretariat of the Commission to make arrangements to facilitate the balanced representation of major groups from developed and developing countries in the sessions

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[101] A/63/304.

[102] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A, draft resolution I, para. 2 (*j*).

of the Commission, and in this regard invites donor countries to consider supporting the participation of major groups from developing countries, inter alia, through contributions to the Commission's trust fund;

18. *Reiterates the invitation* to the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations and the International Fund for Agricultural Development, United Nations funds and programmes, the Global Environment Facility and international and regional financial and trade institutions, as well as the secretariat of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[103] and other relevant bodies, to actively participate, within their mandates, in the work of the Commission and its Intergovernmental Preparatory Meeting at its seventeenth session;

19. *Encourages* Governments and organizations at all levels, as well as major groups, to undertake results-oriented initiatives and activities to support the work of the Commission and to promote and facilitate the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21[90] and the Johannesburg Plan of Implementation, including through voluntary multi-stakeholder partnership initiatives;

20. *Requests* the Secretary-General, in reporting to the Commission at its seventeenth session, on the basis of appropriate inputs from all levels, to submit thematic reports on each of the six issues contained in the thematic cluster of issues on agriculture, rural development, land, drought, desertification and Africa, taking into account their interlinkages, while addressing the cross-cutting issues, including means of implementation identified by the Commission at its eleventh session, and also takes into account the relevant provisions of paragraphs 10, 14 and 15 of draft resolution I of the eleventh session of the Commission;[95]

21. *Underlines* the importance of setting aside adequate time for all envisaged activities in the policy session, including for negotiations on policy options and possible actions, at the seventeenth session of the Commission, and in this regard notes the importance of having all required documents, including the Chair's draft negotiating document, made available for consideration prior to the beginning of the session;

22. *Decides* to include in the provisional agenda of its sixty-fourth session the sub-item entitled "Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development", and requests the Secretary-General, at that session, to submit a report on the implementation of the present resolution.

RESOLUTION 63/213

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.2, para. 16)[104]

63/213. Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

The General Assembly,

Reaffirming the Declaration of Barbados[105] and the Programme of Action for the Sustainable Development of Small Island Developing States,[106] adopted by the Global Conference on the Sustainable Development of Small Island Developing States, and recalling its resolution 49/122 of 19 December 1994 on the Global Conference,

Reaffirming also the Mauritius Declaration[107] and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States ("Mauritius Strategy for Implementation"),[108] adopted by the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States on 14 January 2005,

Recalling its resolutions 59/311 of 14 July 2005, 60/194 of 22 December 2005, 61/196 of 20 December 2006 and 62/191 of 19 December 2007,

Recalling also the 2005 World Summit Outcome,[109]

Reaffirming that the Commission on Sustainable Development is the primary intergovernmental forum for monitoring the implementation of the Barbados Programme of Action and the Mauritius Strategy for Implementation,

Recalling the convening of one half-day session of the Intergovernmental Preparatory Meeting for the fifteenth session of the Commission on Sustainable Development, as called for by the General Assembly in its resolution 61/196, to discuss policy options for addressing the barriers and constraints facing small island developing States in the four thematic areas of the session, taking into account the review of the implementation of the Mauritius Strategy for Implementation conducted during the fourteenth session of the Commission,

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[103] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[104] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[105] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex I.

[106] Ibid., annex II.

[107] *Report of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, Port Louis, Mauritius, 10–14 January 2005* (United Nations publication, Sales No. E.05.II.A.4 and corrigendum), chap. I, resolution 1, annex I.

[108] Ibid., annex II.

[109] See resolution 60/1.

Reaffirming that the adverse effects of climate change and sea-level rise present significant risks to the sustainable development of small island developing States, that the effects of climate change may threaten the very existence of some of them and that adaptation to the adverse effects of climate change and sea-level rise therefore remains a major priority for small island developing States,

Recognizing the urgent need to increase the level of resources provided to small island developing States for the effective implementation of the Mauritius Strategy for Implementation,

Underlining the importance of developing and strengthening national sustainable development strategies in small island developing States,

Recalling its request to the Secretary-General to submit a report on actions taken to strengthen the Small Island Developing States Unit of the Department of Economic and Social Affairs of the Secretariat,

Recalling also the decision to review progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for Implementation at the sixty-fifth session of the General Assembly,

1. *Takes note* of the report of the Secretary-General on the follow-up to and implementation of the Mauritius Strategy for Implementation;[110]

2. *Also takes note* of the report of the Secretary-General on actions taken to strengthen the Small Island Developing States Unit;[111]

3. *Welcomes* the renewed commitment of the international community to the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;[106]

4. *Urges* Governments and all relevant international and regional organizations, United Nations funds and programmes, the specialized agencies and regional commissions, international financial institutions and the Global Environment Facility, as well as other intergovernmental organizations and major groups, to take timely action for the effective implementation of and follow-up to the Mauritius Declaration[107] and the Mauritius Strategy for Implementation,[108] including the further development and operationalization of concrete projects and programmes;

5. *Calls for* the full and effective implementation of the commitments, programmes and targets adopted at the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States and, to this end, for the fulfilment of the provisions for the means of implementation, as contained in the Mauritius Strategy for Implementation, and encourages small island developing States and their development partners to continue to consult widely in order to develop further concrete projects and programmes for the implementation of the Mauritius Strategy for Implementation;

6. *Reaffirms* the decision taken by the Commission on Sustainable Development at its sixteenth session that one day of its review sessions should be devoted exclusively to the review of the Mauritius Strategy for Implementation, focusing on that year's thematic cluster, as well as on any new developments in the sustainable development efforts of small island developing States using existing modalities;[112]

7. *Invites* the Commission to devote one half-day of its Intergovernmental Preparatory Meeting to discussing policy options for addressing the barriers and constraints facing small island developing States identified in the thematic cluster of each implementation cycle, taking into account the review conducted during the respective review session;

8. *Encourages* enhanced, closer and early consultation with small island developing States in the planning and coordination, as appropriate, of the activities of the Commission devoted to the review of the Mauritius Strategy for Implementation, and emphasizes the importance of enhanced interaction between small island developing States and the relevant agencies of the United Nations system addressing issues concerning small island developing States;

9. *Calls upon* the international community to enhance support for the efforts of small island developing States to adapt to the adverse impacts of climate change, including through the provision of dedicated sources of financing, capacity-building and the transfer of appropriate technologies to address climate change;

10. *Requests* the relevant agencies of the United Nations system, within their respective mandates, to intensify efforts aimed at mainstreaming the Mauritius Strategy for Implementation in their work programmes and to establish a focal point for matters related to small island developing States within their respective secretariats to support coordinated implementation of the Programme of Action at the national, subregional, regional and global levels;

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[110] A/63/296.

[111] A/62/945.

[112] See *Official Records of the Economic and Social Council, 2008, Supplement No. 9* (E/2008/29), chap. I, sect. B, decision 16/2.

11. *Calls upon* the international community to enhance its support for the implementation of the programme of work on island biodiversity[113] as a set of actions to address characteristics and problems that are specific to islands, adopted by the Conference of the Parties to the Convention on Biological Diversity at its eighth meeting, in 2006;

12. *Calls for* continued support for the design and implementation of national sustainable development strategies in all small island developing States;

13. *Encourages* the implementation of partnership initiatives, within the framework of the Mauritius Strategy for Implementation, in support of the sustainable development of small island developing States;

14. *Underlines* the importance of providing the Small Island Developing States Unit with adequate, stable and predictable funding to facilitate the full and effective implementation of its mandates in accordance with the priority accorded to the Unit and in view of the demand for its services, in particular with respect to the provision of assistance and support to small island developing States;

15. *Reiterates* the importance of ensuring sufficient and sustainable staffing of the Small Island Developing States Unit so that it may undertake its broad range of mandated functions with a view to facilitating the full and effective implementation of the Mauritius Strategy for Implementation, and in this regard requests the Secretary-General to take the necessary actions;

16. *Calls for* the provision of new and additional voluntary resources to ensure the revitalization and sustainability of the Small Island Developing States Information Network;

17. *Reaffirms* its decision to review, at its sixty-fifth session, the progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for Implementation, decides to convene a two-day high-level review in September 2010 as a part of that session, and requests the Secretary-General to report to the Assembly at its sixty-fourth session on possible arrangements for the review;

18. *Decides* that the two-day high-level review should be preceded, where necessary, by national, subregional, regional and substantive preparations in a most effective, well-structured and broad participatory manner and that, for this purpose, the Department of Economic and Social Affairs of the Secretariat, through its Small Island Developing States Unit, the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States and the relevant agencies of the United Nations system, including regional commissions, within their respective mandates and existing resources, should organize, facilitate and provide necessary support to the review process at the national, regional and international levels; and stresses that the review should provide the international community with an opportunity to conduct an assessment of the progress made, lessons learned and constraints encountered in the implementation of the Mauritius Strategy for Implementation and agree on what needs to be done to further address the vulnerabilities of small island developing States;

19. *Invites* the small island developing States to consider at their relevant intergovernmental meetings, assessments of and relevant contributions to the review process;

20. *Calls upon* the international community to support the efforts to review progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for Implementation, including by facilitating the participation of small island developing States in review activities;

21. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session on the follow-up to and implementation of the Mauritius Strategy for Implementation;

22. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Sustainable development", the sub-item entitled "Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States".

RESOLUTION 63/214

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.2, para. 16)[114]

63/214. Towards the sustainable development of the Caribbean Sea for present and future generations

The General Assembly,

Reaffirming the principles and commitments enshrined in the Rio Declaration on Environment and Development,[115] the principles embodied in the Declaration of Barbados,[116] the Programme of Action for the Sustainable Development of Small Island Developing States,[117] the Johannesburg Declaration on Sustainable Development[118] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[119] as well as other relevant declarations and international instruments,

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[113] UNEP/CBD/COP/8/31, annex I, decision VIII/1, annex.

[114] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[115] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

Recalling the Declaration and review document adopted by the General Assembly at its twenty-second special session,[120]

Taking into account all other relevant General Assembly resolutions, including resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000, 57/261 of 20 December 2002, 59/230 of 22 December 2004 and 61/197 of 20 December 2006,

Taking into account also the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[121]

Recalling the 2005 World Summit Outcome,[122]

Recalling also the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, signed at Cartagena de Indias, Colombia, on 24 March 1983,[123] and the protocols thereto, which contain the definition of the wider Caribbean region of which the Caribbean Sea is part,

Reaffirming the United Nations Convention on the Law of the Sea,[124] which provides the overall legal framework for ocean activities, and emphasizing its fundamental character, conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Emphasizing the importance of national, regional and global action and cooperation in the marine sector as recognized by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[125]

Recalling the relevant work done by the International Maritime Organization,

Considering that the Caribbean Sea area includes a large number of States, countries and territories, most of which are developing countries and small island developing States that are ecologically fragile and socially and economically vulnerable and are also affected, inter alia, by their limited capacity, narrow resource base, need for financial resources, high levels of poverty and the resulting social problems and the challenges and opportunities of globalization and trade liberalization,

Recognizing that the Caribbean Sea has unique biodiversity and highly fragile ecosystems,

Recognizing also that the Caribbean has been shown to be the most tourism-dependent region in the world relative to its size,

Noting that the Caribbean Sea, when compared to all other large marine ecosystems, is surrounded by the largest number of countries in the world,

Emphasizing that the Caribbean countries have a high degree of vulnerability occasioned by climate change, climate variability and associated phenomena, such as the rise in sea level, the El Niño phenomenon and the increase in the frequency and intensity of natural disasters caused by hurricanes, floods and droughts, and that they are also subject to natural disasters, such as those caused by volcanoes, tsunamis and earthquakes,

Bearing in mind the heavy reliance of most of the Caribbean economies on their coastal areas, as well as on the marine environment in general, to achieve their sustainable development needs and goals,

Acknowledging that the intensive use of the Caribbean Sea for maritime transport, as well as the considerable number and interlocking character of the maritime areas under national jurisdiction where Caribbean countries exercise their rights and duties under international law, present a challenge for the effective management of the resources,

Noting the problem of marine pollution caused, inter alia, by land-based sources and the continuing threat of pollution from ship-generated waste and sewage, as well as from the accidental release of hazardous and noxious substances in the Caribbean Sea area,

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[116] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex I.

[117] Ibid., annex II.

[118] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[119] Ibid., resolution 2, annex.

[120] See resolution S-22/2, annex.

[121] *Report of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, Port Louis, Mauritius, 10–14 January 2005* (United Nations publication, Sales No. E.05.II.A.4 and corrigendum), chap. I, resolution 1, annex II.

[122] See resolution 60/1.

[123] United Nations, *Treaty Series*, vol. 1506, No. 25974.

[124] Ibid., vol. 1833, No. 31363.

[125] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

Taking note of the relevant resolutions of the General Conference of the International Atomic Energy Agency on safety of transport of radioactive materials,

Mindful of the diversity and dynamic interaction and competition among socio-economic activities for the use of the coastal areas and the marine environment and their resources,

Mindful also of the efforts of the Caribbean countries to address in a more holistic manner the sectoral issues relating to the management of the wider Caribbean Sea region and, in so doing, to promote integrated management of the wider Caribbean Sea region in the context of sustainable development, through a regional cooperative effort among Caribbean countries,

Welcoming the continued efforts of the States members of the Association of Caribbean States to develop and implement regional initiatives to promote the sustainable conservation and management of coastal and marine resources, and recognizing in this regard the firm commitment by Heads of State and Government of the Association to take the steps necessary to ensure the recognition of the Caribbean Sea as a special area within the context of sustainable development, without prejudice to relevant international law,

Taking note of the creation by the Association of Caribbean States of the Caribbean Sea Commission, and welcoming its ongoing work,

Cognizant of the importance of the Caribbean Sea to present and future generations and to the heritage and the continuing economic well-being and sustenance of people living in the area, and the urgent need for the countries of the region to take appropriate steps for its preservation and protection, with the support of the international community,

1. *Recognizes* that the Caribbean Sea is an area of unique biodiversity and a highly fragile ecosystem that requires relevant regional and international development partners to work together to develop and implement regional initiatives to promote the sustainable conservation and management of coastal and marine resources, including, inter alia, the consideration of the concept of the Caribbean Sea as a special area in the context of sustainable development, including its designation as such without prejudice to relevant international law;

2. *Takes note* of the efforts of the Caribbean States and the work undertaken by the Caribbean Sea Commission of the Association of Caribbean States, including, inter alia, the development of their concept of the designation of the Caribbean Sea as a special area within the context of sustainable development, and invites the international community to support such efforts;

3. *Welcomes* the plan of action adopted by the Caribbean Sea Commission, including its scientific and technical components and governance and outreach components, and invites the international community and the United Nations system to support, as appropriate, Caribbean countries and their regional organizations in their efforts to implement the plan of action;

4. *Recognizes* the efforts of Caribbean countries to create conditions leading to sustainable development aimed at combating poverty and inequality, and in this regard notes with interest the initiatives of the Association of Caribbean States in the focal areas of sustainable tourism, trade, transport and natural disasters;

5. *Calls upon* the United Nations system and the international community to assist, as appropriate, Caribbean countries and their regional organizations in their efforts to ensure the protection of the Caribbean Sea from degradation as a result of pollution from ships, in particular through the illegal release of oil and other harmful substances, and from illegal dumping or accidental release of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, in violation of relevant international rules and standards, as well as pollution from land-based activities;

6. *Invites* the Association of Caribbean States to submit a report to the Secretary-General on the progress made in the implementation of the present resolution, for consideration during the sixty-fifth session of the General Assembly;

7. *Calls upon* all States to become contracting parties to relevant international agreements to enhance maritime safety and promote the protection of the marine environment of the Caribbean Sea from pollution, damage and degradation from ships and ship-generated waste;

8. *Supports* the efforts of Caribbean countries to implement sustainable fisheries management programmes and to meet the principles of the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations;[126]

9. *Calls upon* States, taking into consideration the Convention on Biological Diversity,[127] to develop national, regional and international programmes to halt the loss of marine biodiversity in the Caribbean Sea, in particular fragile ecosystems such as coral reefs and mangroves;

10. *Invites* Member States and intergovernmental organizations within the United Nations system to continue their efforts to assist Caribbean countries in becoming parties to the relevant conventions and protocols concerning the management, protection and sustainable utilization of Caribbean Sea resources and in implementing them effectively;

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[126] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

[127] United Nations, *Treaty Series*, vol. 1760, No. 30619.

11. *Calls upon* the international community, the United Nations system and the multilateral financial institutions, and invites the Global Environment Facility, within its mandate, to support actively the national and regional activities of the Caribbean States towards the promotion of the sustainable management of coastal and marine resources;

12. *Expresses deep concern* about the severe destruction and devastation caused to several countries by heightened hurricane activity in the wider Caribbean region in recent years;

13. *Urges* the United Nations system and the international community to continue to provide aid and assistance to the countries of the Caribbean region in the implementation of their long-term programmes of disaster prevention, preparedness, mitigation, management, relief and recovery, based on their development priorities, through the integration of relief, rehabilitation and reconstruction into a comprehensive approach to sustainable development;

14. *Acknowledges* the pivotal role of the Association of Caribbean States in regional dialogue and in the consolidation of a wider Caribbean cooperation zone in the field of disaster risk reduction, as well as the importance of the international community in deepening existing cooperation and consolidating new initiatives with that regional mechanism within the context of the outcomes of the High-level Conference on Disaster Reduction of the Association of Caribbean States, held in Saint-Marc, Haiti, from 14 to 16 November 2007, and the plan of action approved by the Ministerial Council of the Association upon the recommendation of the Conference;

15. *Invites* Member States, international and regional organizations and other relevant stakeholders to consider training programmes for the development of a human resource capacity at different levels and to developing research aimed at enhancing the food security of Caribbean countries, as well as the sustainable management of renewable marine and coastal resources;

16. *Calls upon* Member States to improve as a matter of priority their emergency response capabilities and the containment of environmental damage, particularly in the Caribbean Sea, in the event of natural disasters or of an accident or incident relating to maritime navigation;

17. *Requests* the Secretary-General to report to it at its sixty-fifth session, under the sub-item entitled "Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States" of the item entitled "Sustainable development", on the implementation of the present resolution, including a section on the possible legal and financial implications of the concept of the Caribbean Sea as a special area within the context of sustainable development, including its designation as such without prejudice to relevant international law, taking into account the views expressed by Member States and relevant regional organizations.

RESOLUTION 63/215

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.3, para. 19)[128]

63/215. International cooperation to reduce the impact of the El Niño phenomenon

The General Assembly,

Recalling its resolutions 52/200 of 18 December 1997, 53/185 of 15 December 1998, 54/220 of 22 December 1999, 55/197 of 20 December 2000, 56/194 of 21 December 2001, 57/255 of 20 December 2002, 59/232 of 22 December 2004 and 61/199 of 20 December 2006, and Economic and Social Council resolutions 1999/46 of 28 July 1999, 1999/63 of 30 July 1999 and 2000/33 of 28 July 2000,

Noting that the El Niño phenomenon has a recurring character and that it can lead to extensive natural hazards with the potential to seriously affect humankind,

Reaffirming the importance of developing strategies at the national, subregional, regional and international levels that aim to prevent, mitigate and repair the damage caused by natural disasters that result from the El Niño phenomenon,

Noting that technological developments and international cooperation have enhanced the capabilities for the prediction of the El Niño phenomenon and thereby the potential for the preventive actions that may be taken to reduce its negative impacts,

Taking into account the Johannesburg Declaration on Sustainable Development[129] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[130] in particular paragraph 37 (*i*) thereof,

Reaffirming the Hyogo Declaration[131] and the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,[132]

1. *Takes note* of the report of the Secretary-General on the implementation of the International Strategy for Disaster

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[128] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[129] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[130] Ibid., resolution 2, annex.

[131] A/CONF.206/6 and Corr.1, chap. I, resolution 1.

[132] Ibid., resolution 2.

Reduction,[133] in particular annex II of the report, entitled "International cooperation to reduce the impact of the El Niño phenomenon", and calls upon the international community to make greater efforts to assist countries affected by this phenomenon;

2. *Recognizes* the efforts made by the Government of Ecuador, the World Meteorological Organization and the inter-agency secretariat of the International Strategy for Disaster Reduction which led to the establishment of the International Research Centre on El Niño at Guayaquil, Ecuador, and encourages them to continue their support for the advancement of the Centre;

3. *Also recognizes* the technical and scientific support of the World Meteorological Organization to producing regionally coordinated monthly and seasonal forecasts;

4. *Encourages*, in this regard, the World Meteorological Organization to strengthen collaboration and the exchange of data as well as of information with the relevant institutions;

5. *Welcomes* the activities undertaken so far to strengthen the International Research Centre on El Niño, through collaboration with international monitoring centres, including the national oceanographic institutions, and efforts to enhance regional and international recognition and support for the Centre and to develop tools for decision makers and Government authorities for reducing the impact of the El Niño phenomenon;

6. *Calls upon* the Secretary-General and the relevant United Nations organs, funds and programmes, in particular those taking part in the International Strategy for Disaster Reduction, and the international community to adopt, as appropriate, the necessary measures to strengthen the International Research Centre on El Niño, and invites the international community to provide scientific, technical and financial assistance and cooperation for this purpose, as well as to strengthen, as appropriate, other centres devoted to the study of the El Niño phenomenon;

7. *Underscores* the importance of maintaining the El Niño/Southern Oscillation observation system, continuing research into extreme weather events, improving forecasting skills and developing appropriate policies for reducing the impact of the El Niño phenomenon and other extreme weather events, and emphasizes the need to further develop and strengthen these institutional capacities in all countries, in particular developing countries;

8. *Requests* the Secretary-General to include a section on the implementation of the present resolution in his report to the General Assembly at its sixty-fifth session on the implementation of the International Strategy for Disaster Reduction.

RESOLUTION 63/216

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.3, para. 19)[134]

63/216. International Strategy for Disaster Reduction

The General Assembly,

Recalling its resolutions 44/236 of 22 December 1989, 49/22 A of 2 December 1994, 49/22 B of 20 December 1994, 53/185 of 15 December 1998, 54/219 of 22 December 1999, 56/195 of 21 December 2001, 57/256 of 20 December 2002, 58/214 of 23 December 2003, 59/231 of 22 December 2004, 60/195 of 22 December 2005, 61/198 of 20 December 2006 and 62/192 of 19 December 2007 and Economic and Social Council resolutions 1999/63 of 30 July 1999 and 2001/35 of 26 July 2001, and taking into due consideration its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling also the 2005 World Summit Outcome,[135]

Reaffirming the Hyogo Declaration,[136] the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters[137] and the common statement of the special session on the Indian Ocean disaster: risk reduction for a safer future,[138] as adopted by the World Conference on Disaster Reduction,

Reaffirming also its role in providing policy guidance on the implementation of the outcomes of the major United Nations conferences and summits,

Expressing its deep concern at the number and scale of natural disasters and their increasing impact in recent years, which have resulted in massive loss of life and long-term negative social, economic and environmental consequences for vulnerable societies throughout the world and hamper the achievement of their sustainable development, in particular in developing countries,

Emphasizing that disaster risk reduction, including reducing vulnerability to natural disasters, is an important cross-cutting element that contributes to the achievement of sustainable development,

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[133] A/63/351.

[134] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[135] See resolution 60/1.

[136] A/CONF.206/6 and Corr.1, chap. I, resolution 1.

[137] Ibid., resolution 2.

[138] A/CONF.206/6 and Corr.1, annex II.

Recognizing the clear relationship between development, disaster risk reduction, disaster response and disaster recovery and the need to continue to deploy efforts in all these areas,

Recognizing also the urgent need to further develop and make use of the existing scientific and technical knowledge to build resilience to natural disasters, and emphasizing the need for developing countries to have access to appropriate, advanced, environmentally sound, cost-effective and easy-to-use technologies so as to seek more comprehensive solutions to disaster risk reduction and to effectively and efficiently strengthen their capabilities to cope with disaster risks,

Recognizing further that certain measures for disaster risk reduction in the context of the Hyogo Framework for Action can also support adaptation to climate change, and emphasizing the importance of strengthening the resilience of nations and communities to natural disasters through disaster risk reduction programmes,

Stressing the importance of advancing the implementation of the Plan of Implementation of the World Summit on Sustainable Development [139] and its relevant provisions on vulnerability, risk assessment and disaster management,

Taking note of the ministerial meeting on "Reducing disaster risks in a changing climate", convened by the Secretary-General on 29 September 2008,

Noting the declaration "Together for humanity" of the thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007, in particular concerning the need to ensure that environmental degradation and adaptation to climate change are integrated in disaster risk reduction and disaster management policies and plans,

Recognizing the need to continue to develop an understanding of, and to address, socio-economic activities that exacerbate the vulnerability of societies to natural disasters and to build and further strengthen community capability to cope with disaster risks,

Taking note of the workshop on risk management and risk reduction strategies, including risk sharing and transfer mechanisms such as insurance, held in Poznań, Poland, in December 2008,

Having considered the recommendation of the Secretary-General regarding General Assembly resolution 54/219,[140]

1. *Takes note* of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction;[140]

2. *Recalls* that the commitments of the Hyogo Declaration[136] and the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters[137] include the provision of assistance for developing countries that are prone to natural disasters and disaster-stricken States in the transition phase towards sustainable physical, social and economic recovery, for risk reduction activities in post-disaster recovery and for rehabilitation processes;

3. *Welcomes* the progress made in the implementation of the Hyogo Framework for Action, and stresses the need for a more effective integration of disaster risk reduction into sustainable development policies, planning and programming; for the development and strengthening of institutions, mechanisms and capacities to build resilience to hazards; and for a systematic incorporation of risk reduction approaches into the implementation of emergency preparedness, response and recovery programmes;

4. *Calls upon* the international community to increase its efforts to fully implement the commitments of the Hyogo Declaration and the Hyogo Framework for Action;

5. *Invites* Member States, the United Nations system, international financial institutions, regional bodies and other international organizations, including the International Federation of Red Cross and Red Crescent Societies, as well as civil society, including non-governmental organizations and volunteers, the private sector and the scientific community, to increase efforts to support, implement and follow up the Hyogo Framework for Action, and stresses the importance in this regard of the continued cooperation and coordination of all stakeholders with respect to addressing effectively the impact of natural disasters;

6. *Calls upon* the United Nations system, and invites international financial institutions and regional and international organizations, to integrate the goals of, and take into full account, the Hyogo Framework for Action in their strategies and programmes, making use of existing coordination mechanisms, and to assist developing countries with those mechanisms to design and implement, as appropriate, disaster risk reduction measures with a sense of urgency;

7. *Also calls upon* the United Nations system, and invites the international financial institutions and regional banks and other regional and international organizations, to support, in a timely and sustained manner, the efforts led by disaster-stricken countries for disaster risk reduction in post-disaster recovery and rehabilitation processes;

8. *Recognizes* that each State has the primary responsibility for its own sustainable development and for taking effective measures to reduce disaster risk, including for the protection of people on its territory, infrastructure and other

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[139] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[140] See A/63/351.

national assets from the impact of disasters, including the implementation of and follow-up to the Hyogo Framework for Action, and stresses the importance of international cooperation and partnerships to support those national efforts;

9. *Also recognizes* the efforts made by Member States to develop national and local capacities to implement the Hyogo Framework for Action, including through the establishment of national platforms for disaster reduction, and encourages Member States that have not done so to develop such capacities;

10. *Further recognizes* the importance of coordinating adaptation to climate change with relevant disaster risk reduction measures, invites Governments and relevant international organizations to integrate these considerations in a comprehensive manner into, inter alia, development plans and poverty eradication programmes and, in least developed countries, National Adaptation Programmes of Action, and invites the international community to support the ongoing efforts of developing countries in this regard;

11. *Welcomes* the regional and subregional initiatives developed in order to achieve disaster risk reduction, and reiterates the need to further develop regional initiatives and risk reduction capacities of regional mechanisms where they exist and to strengthen them and encourage the use and sharing of all existing tools;

12. *Expresses its satisfaction* with the work carried out by the Global Facility for Disaster Reduction and Recovery, a partnership of the Strategy system managed by the World Bank on behalf of the participating donor partners and other partnering stakeholders, as a significant initiative to support the implementation of the Hyogo Framework for Action;

13. *Encourages* the secretariat of the Strategy to continue to develop improved methods for predictive multi-risk assessments, including on the economics of disaster risk reduction and socio-economic cost-benefit analysis of risk reduction actions at all levels;

14. *Calls upon* the international community to support the development and strengthening of institutions, mechanisms and capacities at all levels, in particular at the community level, that can systematically contribute to building resilience to hazards;

15. *Encourages* Member States to increase their commitment to the effective implementation of the Hyogo Framework for Action, making full use of the mechanisms of the Strategy system, such as the Global Platform for Disaster Risk Reduction;

16. *Welcomes* the upcoming second session of the Global Platform for Disaster Risk Reduction, on the theme "Disasters, poverty and vulnerability", to be held in Geneva from 16 to 19 June 2009, which will serve to initiate the midterm review of the implementation of the Hyogo Framework for Action, expected by 2010, and requests the Secretary-General to include information on the Global Platform in his next report;

17. *Recognizes* the importance of integrating a gender perspective and empowering and engaging women in the design and implementation of all phases of disaster management, as well as in risk reduction strategies and programmes, and encourages the secretariat of the Strategy to continue to increase the promotion of gender mainstreaming and empowerment of women;

18. *Acknowledges* the importance of the work of the United Nations in disaster risk reduction and the growing demands on the secretariat of the Strategy and the need for increased, timely, stable and predictable resources for the implementation of the Strategy;

19. *Expresses its appreciation* to those countries that have provided financial support for the activities of the Strategy by making voluntary contributions to the United Nations Trust Fund for Disaster Reduction;

20. *Encourages* the international community to continue providing adequate voluntary financial contributions to the Trust Fund in the effort to ensure adequate support for the follow-up activities to the Hyogo Framework for Action, and encourages Member States to make multi-annual, unearmarked contributions as early in the year as possible;

21. *Encourages* Governments, multilateral organizations, international and regional organizations, international and regional financial institutions, the private sector and civil society to systematically invest in disaster risk reduction with a view to implementing the objectives of the Strategy;

22. *Stresses* the importance of disaster risk reduction and subsequent increased responsibilities of the secretariat of the Strategy, and requests the Secretary-General to explore all means of securing additional funding to ensure predictable and stable financial resources for the operation of the secretariat and to report on this to the General Assembly at its sixty-fourth session;

23. *Encourages* Member States to integrate early warning systems into their national disaster risk reduction strategies and plans, and invites the international community to support the secretariat of the Strategy in its role in facilitating the development of early warning systems;

24. *Stresses* the need to foster better understanding and knowledge of the causes of disasters, as well as to build and strengthen coping capacities through, inter alia, the transfer and exchange of experiences and technical knowledge, educational and training programmes for disaster risk reduction, access to relevant data and information and the strengthening of institutional arrangements, including community-based organizations;

25. *Emphasizes* the need for the international community to maintain its focus beyond emergency relief and to support

medium- and long-term rehabilitation, reconstruction and risk reduction, and stresses the importance of implementing programmes related to the eradication of poverty, sustainable development and disaster risk reduction management in the most vulnerable regions, particularly in developing countries prone to natural disasters;

26. *Stresses* the need to address risk reduction of and vulnerabilities to all natural hazards, including geological and hydrometeorological hazards, in a comprehensive manner;

27. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution, under the item entitled "Sustainable development".

RESOLUTION 63/217

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.3, para. 19)[141]

63/217. Natural disasters and vulnerability

The General Assembly,

Recalling its decision 57/547 of 20 December 2002 and its resolutions 58/215 of 23 December 2003, 59/233 of 22 December 2004, 60/196 of 22 December 2005 and 61/200 of 20 December 2006,

Reaffirming the Johannesburg Declaration on Sustainable Development[142] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[143]

Reaffirming also the Hyogo Declaration[144] and the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,[145] adopted by the World Conference on Disaster Reduction,

Recalling the 2005 World Summit Outcome,[146]

Recognizing the need to continue to develop an understanding of, and to address, the underlying risk factors, as identified in the Hyogo Framework for Action, including socio-economic factors, that exacerbate the vulnerability of societies to natural hazards, to build and further strengthen the capacity at all levels to cope with disaster risks and to enhance resilience against hazards associated with disasters, while also recognizing the negative impact of disasters on economic growth and sustainable development, in particular in developing countries and disaster-prone countries,

Emphasizing the importance of addressing vulnerability and integrating risk reduction into all phases of disaster management, post-disaster recovery and development planning,

Recognizing the need to integrate a gender perspective in the design and implementation of all phases of disaster risk reduction management, with a view to reducing vulnerability,

Noting that the global environment continues to suffer degradation, adding to economic and social vulnerabilities, in particular in developing countries,

Taking into account the various ways and forms in which all countries, in particular the more vulnerable countries, are affected by severe natural hazards such as earthquakes, tsunamis, landslides and volcanic eruptions and extreme weather events such as heatwaves, severe droughts, floods and storms, and the El Niño/La Niña events which have global reach,

Expressing deep concern at the recent increase in the frequency and intensity of extreme weather events and associated natural disasters in some regions of the world and their substantial economic, social and environmental impacts, in particular upon developing countries in those regions,

Taking into account that geological and hydrometeorological hazards and their associated natural disasters and their reduction must be addressed in a coherent and effective manner,

Noting the need for international and regional cooperation to increase the capacity of countries to respond to the negative impacts of all natural hazards, including earthquakes, tsunamis, landslides and volcanic eruptions and extreme weather events such as heatwaves, severe droughts and floods, and associated natural disasters, in particular in developing countries and disaster-prone countries,

Bearing in mind the importance of addressing disaster risks related to changing social, economic, environmental conditions and land use, and the impact of hazards associated with geological events, weather, water, climate variability and climate change, in sector development planning and programmes as well as in post-disaster situations,

Stressing that the impacts of natural disasters are severely hampering efforts in achieving the internationally agreed development goals, including the Millennium Development Goals, and emphasizing the importance of reducing vulnerabilities to natural disasters,

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[141] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[142] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[143] Ibid., resolution 2, annex.

[144] A/CONF.206/6 and Corr.1, chap. I, resolution 1.

[145] Ibid., resolution 2.

[146] See resolution 60/1.

1. *Takes note* of the report of the Secretary-General on the implementation of its resolution 61/200;[147]

2. *Urges* the international community to continue to address ways and means, including through development cooperation and technical assistance, to reduce the adverse effects of natural disasters, including those caused by extreme weather events, in particular in vulnerable developing countries, including least developed countries and in Africa, through the implementation of the International Strategy for Disaster Reduction, including the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,[145] and encourages the institutional arrangement for the International Strategy to continue its work in this regard;

3. *Recognizes* that each State has the primary responsibility for its own sustainable development and for taking effective measures to reduce disaster risk, including for the protection of people on its territory, infrastructure and other national assets from the impact of disaster, including the implementation and follow-up of the Hyogo Framework for Action, and stresses the importance of regional and international cooperation and partnerships to support those national efforts;

4. *Stresses* the importance of the Hyogo Declaration[144] and the Hyogo Framework for Action and the priorities for action that States, regional and international organizations and international financial institutions as well as other concerned actors should take into consideration in their approach to disaster risk reduction and implement, as appropriate, according to their own circumstances and capacities, bearing in mind the vital importance of promoting a culture of prevention in the area of natural disasters, including through the mobilization of adequate resources for disaster risk reduction, and of addressing disaster risk reduction, including disaster preparedness at the community level, and the adverse effects of natural disasters on efforts to implement national development plans and poverty reduction strategies with a view to achieving the internationally agreed development goals, including the Millennium Development Goals;

5. *Recognizes* the importance of considering enhanced action on adaptation, including, inter alia, risk management and risk reduction strategies, including risk sharing and transfer mechanisms such as insurance, and disaster reduction strategies and means to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change;

6. *Expresses its deep concern* at the number and scale of natural disasters and the increasing challenges posed by the consequences of natural disasters, as well as the impact of climate change, to all countries, in particular developing countries, especially small island developing States and least developed countries, as well as other particularly vulnerable countries;

7. *Encourages* continued and greater support by the international community for adaptation strategies, particularly in countries vulnerable to the adverse effects of climate change, in order to contribute to disaster management efforts, and encourages enhanced coordination between adaptation strategies and disaster management strategies;

8. *Encourages* Governments, through their respective International Strategy for Disaster Reduction national platforms and national focal points for disaster risk reduction, in cooperation with the United Nations system, the International Federation of Red Cross and Red Crescent Societies and other stakeholders, to strengthen capacity-building in the most vulnerable regions, to enable them to address the social, economic and environmental factors that increase vulnerability, and to develop measures that will enable them to prepare for and cope with natural disasters, including those associated with earthquakes and extreme weather events, and encourages the international community to provide effective assistance to developing countries in this regard;

9. *Emphasizes*, in order to build resilience, particularly in developing countries, especially those vulnerable among them, the importance of addressing the underlying risk factors identified in the Hyogo Framework for Action, promoting the integration of risk reduction associated with geological and hydrometeorological hazards in disaster risk reduction programmes and enhancing knowledge and public awareness of disaster risk reduction;

10. *Stresses* that, in order to reduce vulnerability to natural hazards, risk assessments should be integrated into disaster risk reduction programmes at national and local levels;

11. *Encourages* the institutional arrangement for the International Strategy for Disaster Reduction to continue, within its mandate, particularly the Hyogo Framework for Action, to enhance the coordination of activities to promote natural disaster risk reduction and to make available to Member States, the relevant United Nations entities and other relevant stakeholders information on options for natural disaster risk reduction, including severe natural hazards and extreme weather-related disasters and vulnerabilities;

12. *Stresses* the importance of close cooperation and coordination among Governments, the United Nations system, and other international and regional organizations, as well as non-governmental organizations and other partners such as the International Federation of Red Cross and Red Crescent

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[147] A/63/351.

Societies, as appropriate, taking into account the need for the development of disaster management strategies encompassing prevention, preparedness and response, including the effective establishment of early warning systems that are, inter alia, people-centred, while taking advantage of all available resources and expertise for that purpose;

13. *Also stresses* that, to reduce vulnerability to all natural hazards, including geological and hydrometeorological events and associated natural disasters, closer and more systematic cooperation, and information-sharing on disaster preparedness among the scientific and academic communities and disaster managers at all levels, should be strengthened;

14. *Encourages* the Conference of the Parties to the United Nations Framework Convention on Climate Change[148] and the parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change[149] to continue to address the adverse effects of climate change, especially in developing countries that are particularly vulnerable, in accordance with the provisions of the Convention, and also encourages the Intergovernmental Panel on Climate Change to continue to assess the adverse effects of climate change on the socio-economic and natural disaster reduction systems of developing countries;

15. *Calls upon* the international community, in particular the developed countries, to provide adequate and predictable resources and access to and transfer of technology, as mutually agreed, to developing countries vulnerable to the adverse effects of natural hazards with a view to enhancing their adaptation capacity;

16. *Stresses* the need to address risk reduction of and vulnerabilities to all natural hazards, including geological and hydrometeorological hazards;

17. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution, and decides to consider the issue of natural disasters and vulnerability at that session, under the sub-item entitled "International Strategy for Disaster Reduction" of the item entitled "Sustainable development".

RESOLUTION 63/218

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.5, para. 9)[150]

63/218. Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

The General Assembly,

Recalling its resolutions 58/211 of 23 December 2003, 61/202 of 20 December 2006, 62/193 of 19 December 2007 and other resolutions relating to the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[151]

Recalling also the 2005 World Summit Outcome,[152]

Reasserting its commitment to combating and reversing desertification and land degradation in arid, semi-arid and dry sub-humid areas, consistent with articles 1, 2 and 3 of the Convention, and to mitigating the effect of drought, eradicating extreme poverty, promoting sustainable development and improving the livelihoods of people affected by drought and/or desertification, taking into account the ten-year strategic plan and framework to enhance the implementation of the Convention (2008–2018),[153]

Determined to build upon the momentum and to boost the spirit of international solidarity generated by the designation of 2006 as the International Year of Deserts and Desertification, and welcoming the adoption of the ten-year strategic plan and framework,

Reaffirming the universal membership of the Convention, and acknowledging that desertification, land degradation and drought are problems of a global dimension in that they affect all regions of the world,

Emphasizing that desertification, land degradation and drought seriously threaten the ability of developing countries to achieve the internationally agreed development goals, including the Millennium Development Goals, and recognizing that the timely and effective implementation of the Convention would help to achieve these goals,

Noting the need for enhanced cooperation among the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, the United Nations Framework Convention on Climate Change[154] and the Convention on Biological Diversity[155] (the "Rio Conventions"), while respecting their individual mandates, concerned by the negative impacts that desertification, land degradation, loss of biodiversity and climate change have on each other, and recognizing the potential benefits of complementarities in addressing these problems in a mutually supportive manner,

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[148] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[149] Ibid., vol. 2303, No. 30822.

[150] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[151] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[152] See resolution 60/1.

[153] A/C.2/62/7, annex.

[154] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[155] Ibid., vol. 1760, No. 30619.

Reaffirming the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[156] which recognizes the Convention to Combat Desertification as one of the tools for poverty eradication,

Recognizing the need to provide the secretariat of the Convention with stable, adequate and predictable resources in order to enable it to continue to discharge its responsibilities in an efficient and timely manner,

Welcoming the decision of the Commission on Sustainable Development at its eleventh session to consider, inter alia, the issue of desertification and drought during its sixteenth and seventeenth sessions,[157]

Welcoming also the fact that the Commission on Sustainable Development at its sixteenth session convened an intergovernmental forum to review some topics that are relevant to the Convention in preparation for policy decisions on those topics by the Commission at its seventeenth session,

Expressing its deep appreciation to the Government of Germany for hosting the High-level Policy Dialogue in Bonn on 27 May 2008,

Expressing its deep appreciation also to the Government of Turkey for hosting the seventh session of the Committee for the Review of the Implementation of the Convention and the first special session of the Committee on Science and Technology in Istanbul from 3 to 14 November 2008,

1. *Takes note* of the report of the Secretary-General on the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[158]

2. *Reaffirms its resolve* to support and strengthen the implementation of the Convention[151] with a view to addressing causes of desertification and land degradation, as well as poverty resulting from land degradation, through, inter alia, the mobilization of adequate and predictable financial resources, the transfer of technology and capacity-building at all levels;

3. *Reaffirms its decision* to declare the decade 2010–2020 as the United Nations Decade for Deserts and the Fight against Desertification;[159]

4. *Continues to support* the efforts of the Executive Secretary of the Convention to continue the administrative renewal and reform of the secretariat and to realign its functions in order to fully implement the recommendations of the Joint Inspection Unit and bring them into line with the ten-year strategic plan and framework to enhance the implementation of the Convention (2008–2018);[153]

5. *Notes* the request made for an assessment of the Global Mechanism by the Joint Inspection Unit,[160] and looks forward to its findings, which are to be submitted to the Conference of the Parties at its ninth session;

6. *Reiterates its call upon* Governments, where appropriate, in collaboration with relevant multilateral organizations, including the Global Environment Facility implementation agencies, to integrate desertification and land degradation into their plans and strategies for sustainable development;

7. *Invites* the affected countries to prepare national strategies for the effective implementation of sustainable land management, and invites donors to support such efforts, on request, and in accordance with all agreed commitments on aid effectiveness;

8. *Notes* the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,[154] the Convention on Biological Diversity[155] and the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and encourages continuing cooperation in order to promote complementarities in the work of the secretariats, while respecting their independent legal status;

9. *Recognizes* the potential of the Convention to Combat Desertification to contribute to addressing global food security, including by protecting land from becoming degraded and mitigating the effects of drought in arid, semi-arid and dry sub-humid areas, in order to offer new economic opportunities for enhancing rural development, agricultural productivity and food security for impoverished populations living in those areas;

10. *Invites* developed countries that are parties to the Convention and other Governments, multilateral organizations, the private sector and other relevant organizations to make resources available to affected developing countries for the implementation of the ten-year strategic plan and framework;

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[156] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[157] See *Official Records of the Economic and Social Council, 2003, Supplement No. 9* (E/2003/29), chap. I, sect. A, draft resolution I.

[158] See A/63/294, sect. II.

[159] See resolution 62/195, para. 3.

[160] A/C.2/62/7, annex, para. 27.

11. *Invites* the Executive Secretary of the Convention, in coordination with the Department of Economic and Social Affairs of the Secretariat, to actively prepare for and participate in the seventeenth session of the Commission on Sustainable Development with a view to ensuring that the core issues of the Convention, in particular those relating to land degradation, drought and desertification, are duly considered in the context of sustainable development during the deliberations of the policy session, with a view to ensuring a successful outcome from the entire cycle of the Commission;

12. *Encourages* developed countries that are parties to the Convention to consider, in accordance with their different obligations under the Convention, prioritizing the need for supporting the implementation of the ten-year strategic plan and framework in their respective policies and programmes for cooperation, and further encourages affected developing countries to consider making this a priority in their cooperation assistance arrangements;

13. *Invites* donors to the Global Environment Facility to ensure that the Facility is adequately resourced during the next replenishment period in order to allow it to allocate sufficient and adequate resources to its six focal areas, in particular its land degradation focal area;

14. *Recognizes* the cross-sectoral nature of desertification, land degradation and drought mitigation, and in this regard invites all relevant United Nations organizations to cooperate with the Convention secretariat in supporting an effective response to desertification and drought;

15. *Urges* the Committee on Science and Technology to accelerate its efforts to establish links with scientific communities in order to make full use of relevant initiatives in areas relating to sustainable land and water management;

16. *Requests* all States parties to the Convention to promote awareness among local populations, particularly women, youth and civil society organizations, of, and to include them in, the implementation of the ten-year strategic plan and framework, and encourages affected States parties and donors to take into account the issue of participation of civil society in Convention processes when setting priorities in national development strategies;

17. *Stresses* the need to accelerate the ongoing process of adopting the euro as the budgetary and accounting currency of the Convention secretariat, and in this regard requests the Secretary-General, taking into account the institutional linkage and related administrative arrangements between the Convention secretariat and the United Nations Secretariat, to facilitate the implementation of decisions of the Conference of the Parties related to the protection of the Convention budget against the negative effects of currency fluctuations;

18. *Invites* the Conference of the Parties to the Convention, when setting the dates of its meetings, to take into consideration the schedule of meetings of the General Assembly and the Commission on Sustainable Development so as to help to ensure the adequate representation of developing countries at those meetings;

19. *Decides* to include in the provisional agenda of its sixty-fourth session the sub-item entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa";

20. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution, including a report on the implementation of the Convention.

RESOLUTION 63/219

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.6, para. 8)[161]

63/219. Convention on Biological Diversity

The General Assembly,

Recalling its resolutions 55/201 of 20 December 2000, 61/204 of 20 December 2006 and 62/194 of 19 December 2007 and other previous resolutions relating to the Convention on Biological Diversity,

Recalling also its resolution 61/203 of 20 December 2006 on the International Year of Biodiversity, 2010,

Reiterating that the Convention on Biological Diversity[162] is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,

Noting that one hundred and ninety States and one regional economic integration organization have ratified the Convention and that one hundred and forty-seven States and one regional economic integration organization have ratified the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,[163]

Recalling the commitments of the World Summit on Sustainable Development to pursue a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

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[161] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[162] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[163] Ibid., vol. 2226, No. 30619.

Deeply concerned by the continued loss of biological diversity and the associated decline in the ecosystem services of our planet and their far-reaching environmental, social, economic and cultural impacts, and acknowledging that an unprecedented effort is needed to achieve by 2010 a significant reduction in the rate of loss of biological diversity,

Noting the need for enhanced cooperation among the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[164] and the United Nations Framework Convention on Climate Change[165] ("the Rio Conventions"), while respecting their individual mandates, concerned by the negative impacts that loss of biodiversity, desertification, land degradation and climate change have on each other, and recognizing the potential benefits of complementarities in addressing these problems in a mutually supportive manner with a view to achieving the objectives of the Convention on Biological Diversity,

Acknowledging the contribution that the ongoing work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, of the World Intellectual Property Organization, can make in enhancing the effective implementation of the provisions of the Convention on Biological Diversity,

Noting the contribution that South-South cooperation can make in the area of biological diversity,

Expressing deep appreciation to the Government of Germany for hosting the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity and its fourth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, and welcoming the offer of the Government of Japan to hold the tenth meeting of the Conference of the Parties and its fifth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, in 2010,

Taking note of the reports of the Millennium Ecosystem Assessment,[166]

Noting the efforts of the Life Web initiative promoted by the Government of Germany and other countries,

Noting also the holding in Putrajaya, Malaysia, from 10 to 12 November 2008, of an ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services, convened by the Executive Director of the United Nations Environment Programme,

Noting further the initiative launched at the meeting of the environmental ministers of the Group of Eight in Potsdam, Germany, in March 2007, to develop a study on the economic cost of the global loss of biodiversity,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity on the work of the Conference of the Parties to the Convention;[167]

2. *Encourages* developed countries parties to the Convention on Biological Diversity[162] to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing countries parties in all of its activities;

3. *Urges* all Member States to fulfil their commitments to significantly reduce the rate of loss of biodiversity by 2010, and emphasizes that this will require an appropriate focus on the loss of biodiversity in their relevant policies and programmes and the continued provision of new and additional financial and technical resources to developing countries, including through the Global Environment Facility;

4. *Takes note* of the outcomes of the ninth meeting of the Conference of the Parties to the Convention[168] and its fourth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety;[169]

5. *Urges* the parties to the Convention to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions, and in this regard takes note of the strategy for the practical implementation of the programme of work on technology transfer and scientific and technological cooperation developed by the Ad Hoc Technical Expert Group on Technology Transfer and Scientific and Technological Cooperation,[170] as a preliminary basis for concrete activities by parties and international organizations;

6. *Notes* the ongoing work of the Heads of Agencies Task Force on the 2010 Biodiversity Target, of the chairpersons of the scientific advisory bodies of the biodiversity-related conventions and of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,[165] the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[164] and the Convention on Biological

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[164] Ibid., vol. 1954, No. 33480.

[165] Ibid., vol. 1771, No. 30822.

[166] Available from http://millenniumassessment.org.

[167] A/63/294, annex III.

[168] UNEP/CBD/COP/9/29.

[169] UNEP/CBD/BS/COP-MOP/4/18.

[170] UNEP/CBD/AHTEG-TTSTC/1/5, annex III.

Diversity, aimed at enhancing scientific and technical collaboration for achieving the 2010 biodiversity target;

7. *Notes also* the adoption by the Conference of the Parties to the Convention on Biological Diversity at its ninth meeting of a strategy for resource mobilization[171] in support of the achievement of the three objectives of the Convention, and, in accordance with Conference of the Parties decision IX/11 and the annexes thereto,[172] invites parties to submit, to the secretariat of the Convention, views on concrete activities and initiatives, including measurable targets and/or indicators to achieve the strategic goals contained in the strategy, and on indicators to monitor its implementation;

8. *Takes note* of decision IX/12 of the Conference of the Parties to the Convention, on access and benefit-sharing, and the annexes thereto,[172] by which the Conference established a road map for the negotiations contained in that decision and, inter alia:

(*a*) Reiterated its instruction to the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to complete the elaboration and negotiation of the international access and benefit-sharing regime at the earliest possible time before the tenth meeting of the Conference of the Parties to the Convention, in accordance with decisions VII/19 D and VIII/4 A; and

(*b*) Further instructed the Working Group to finalize the international regime and to submit for consideration and adoption by the Conference of the Parties to the Convention at its tenth meeting an instrument or instruments to effectively implement the provisions of articles 15 and 8 (*j*) of the Convention and its three objectives, without in any way prejudging or precluding any outcome regarding the nature of such instrument/instruments;

9. *Takes note also* of decision IX/20 of the Conference of the Parties to the Convention, on marine and coastal biodiversity, and the annexes thereto,[172] by which the Conference, inter alia, adopted a set of scientific criteria for identifying ecologically or biologically significant marine areas in need of protection, contained in annex I to the decision, and scientific guidance for designing representative networks of marine protected areas, contained in annex II;

10. *Takes note further* of decision IX/5 of the Conference of the Parties to the Convention, on forest biodiversity;[172]

11. *Encourages* the efforts being made to implement the seven thematic programmes of work, as established by the Conference of the Parties to the Convention, as well as the ongoing work on cross-cutting issues;

12. *Reaffirms* the commitment, subject to national legislation, to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity, promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from their utilization;

13. *Takes note* of decision IX/33 of the Conference of the Parties to the Convention, and the annex thereto,[172] and invites parties to the Convention, other Member States, relevant international organizations and other relevant stakeholders to make preparations to celebrate in 2010 the International Year of Biodiversity, and in that regard:

(*a*) Invites all Member States to create national committees, with the participation of representatives of indigenous and local communities, to celebrate the International Year of Biodiversity, and invites all international organizations to mark the event;

(*b*) Invites the Secretary-General to consider appointing before 2010, within existing resources, an honorary ambassador for the International Year of Biodiversity, who would have a mandate to call for practical actions and solutions towards meeting the objectives of the Convention;

(*c*) Decides, as a contribution to the International Year of Biodiversity, to convene at its sixty-fifth session, in 2010, a one-day high-level meeting of the General Assembly, with participation of heads of State, Governments and delegations, taking into consideration the schedule of meetings of the Convention;

(*d*) Encourages United Nations departments, funds and programmes, the specialized agencies and regional commissions to fully support and participate, as appropriate, in the activities being envisaged for the observance of 2010 as the International Year of Biodiversity, under the auspices of the secretariat of the Convention;

14. *Stresses* the importance of private-sector engagement for the implementation of the objectives of the Convention and the achievement of the 2010 target, and invites businesses to align their policies and practices more explicitly with the objectives of the Convention, including, inter alia, through partnerships;

15. *Notes* the adoption by the Conference of the Parties to the Convention of decision IX/25, on South-South cooperation on biodiversity for development,[172] and the ongoing efforts of the Executive Secretary in that regard;

16. *Notes also* the development of the gender plan of action under the Convention, and invites parties to support the implementation of the plan by the Convention secretariat;

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[171] UNEP/CBD/COP/9/29, annex I, decision IX/11 B, annex.

[172] See UNEP/CBD/COP/9/29, annex I.

17. *Takes note* of decision IX/16 of the Conference of the Parties to the Convention, on biodiversity and climate change, and the annexes thereto,[172] by which the Conference, inter alia, established an Ad Hoc Technical Expert Group on Biodiversity and Climate Change with a mandate to develop scientific and technical advice on biodiversity in so far as it relates to climate change;

18. *Also takes note* of the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

19. *Encourages* all parties to the Convention on Biological Diversity to contribute to the discussions leading to an updated strategic plan for the Convention to be adopted at the tenth meeting of the Conference of the Parties, bearing in mind that this strategic plan should cover all three objectives of the Convention;

20. *Invites* the countries that have not yet done so to ratify or to accede to the Convention;

21. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;[173]

22. *Invites* the parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to consider doing so, reiterates the commitment of States parties to the Protocol to support its implementation, and stresses that this will require the full support of parties and of relevant international organizations, in particular with regard to the provision of assistance to developing countries in capacity-building for biosafety;

23. *Invites* the secretariat of the Convention to report, through the Secretary-General, to the General Assembly at its sixty-fourth session on the work of the Conference of the Parties and to include in the report information on the preparation of the high-level meeting of the General Assembly referred to above;

24 *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Sustainable development", the sub-item entitled "Convention on Biological Diversity".

RESOLUTION 63/220

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/414/Add.7, para. 8)[174]

63/220. Report of the Governing Council of the United Nations Environment Programme on its tenth special session

The General Assembly,

Recalling its resolutions 2997 (XXVII) of 15 December 1972, 53/242 of 28 July 1999, 56/193 of 21 December 2001, 57/251 of 20 December 2002, 58/209 of 23 December 2003, 59/226 of 22 December 2004, 60/189 of 22 December 2005, 61/205 of 20 December 2006 and 62/195 of 19 December 2007,

Recalling also the 2005 World Summit Outcome,[175]

Recognizing the need for more efficient environmental activities in the United Nations system, and noting the need to consider possible options to address this need, including through the ongoing informal consultative process on the institutional framework for United Nations environmental activities,

Taking into account Agenda 21[176] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[177]

Reaffirming the role of the United Nations Environment Programme as the leading global environmental authority and principal body within the United Nations system in the field of environment, which should take into account, within its mandate, the sustainable development needs of developing countries,

Emphasizing that capacity-building and technology support to developing countries in environment-related fields are important components of the work of the United Nations Environment Programme,

Recognizing the need to accelerate implementation of the Bali Strategic Plan for Technology Support and Capacity-building,[178] including through the provision of additional financial resources for that purpose,

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[173] Food and Agriculture Organization of the United Nations, *Report of the Conference of FAO, Thirty-first Session, Rome, 2–13 November 2001* (C 2001/REP), appendix D.

[174] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[175] See resolution 60/1.

[176] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[177] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[178] UNEP/GC.23/6/Add.1 and Corr.1, annex.

1. *Takes note* of the report of the Governing Council of the United Nations Environment Programme on its tenth special session[179] and the decisions contained therein;[180]

2. *Welcomes* the continued efforts of the United Nations Environment Programme in shifting emphasis from delivery of outputs to achievement of results within its budget and programme of work, and also welcomes, in this regard, the United Nations Environment Programme Medium-term Strategy 2010–2013,[181] which is results-based and elaborates six cross-cutting thematic priority areas of work and various means of implementation as a way of strengthening the work of the United Nations Environment Programme, bearing in mind all the relevant provisions of decisions of the Governing Council, and in this regard invites partner organizations to cooperate closely with the Programme;

3. *Stresses* the need to further advance and fully implement the Bali Strategic Plan for Technology Support and Capacity-building,[178] in this regard calls upon Governments and other stakeholders in a position to do so to provide the necessary funding and technical assistance, and welcomes the particular emphasis of the Medium-term Strategy 2010–2013 on significantly enhancing the capacity of the United Nations Environment Programme to deliver on the Bali Strategic Plan;

4. *Recognizes* the progress made so far in the implementation of the Strategic Approach to International Chemicals Management,[182] particularly through its Quick Start Programme,[183] and invites Governments, regional economic integration organizations, intergovernmental organizations and non-governmental organizations to engage actively and cooperate closely to support the Strategic Approach implementation activities of the United Nations Environment Programme, including by providing adequate resources;

5. *Also recognizes* the global challenges posed by mercury, and, in this regard, welcomes the work of the ad hoc open-ended working group on mercury, established by the Governing Council at its twenty-fourth session,[183] to review and assess options for enhanced voluntary measures and new or existing international legal instruments, and notes that the Governing Council will consider the outcomes of the work of the ad hoc open-ended working group at its twenty-fifth regular session;

6. *Emphasizes* the need for the United Nations Environment Programme, within its mandate, to further contribute to sustainable development programmes, the implementation of Agenda 21[176] and the Johannesburg Plan of Implementation,[177] at all levels, and to the work of the Commission on Sustainable Development, bearing in mind the mandate of the Commission;

7. *Notes* that the Governing Council, at its tenth special session, emphasized the need to implement fully its decision SS.VII/1 on international environmental governance,[184] and also notes the continued discussions scheduled for the twenty-fifth session of the Governing Council;

8. *Recognizes* that the current global crises could adversely impact sustainable development and the achievement of the internationally agreed development goals, including the Millennium Development Goals, emphasizes the need for mobilization of adequate funding to address their environmental aspects, and takes note of the proposal of the Executive Director of the United Nations Environment Programme, following consultations with the Bureau of the Governing Council and the Committee of Permanent Representatives to the Programme, to address "Global crisis: national chaos?" as one of the themes for the ministerial consultations, to be held at the twenty-fifth session of the Governing Council;

9. *Emphasizes* the need to further enhance coordination and cooperation among the relevant United Nations organizations in the promotion of the environmental dimension of sustainable development, and to enhance the cooperation between the United Nations Environment Programme and regional and subregional organizations, and welcomes the continued active participation of the Programme in the United Nations Development Group and the Environment Management Group;

10. *Takes note* of the finding of *Global Environment Outlook: Environment for Development*,[185] published by the United Nations Environment Programme, that current environmental degradation represents a serious challenge for human well-being and sustainable development, and expresses its deep concern over the evidence of unprecedented environmental changes at all levels, including possible irreversible changes with potentially negative implications for economic and social development, especially for the poor and vulnerable groups in society;

11. *Reaffirms* the need to strengthen the scientific base of the United Nations Environment Programme, as recommended by the intergovernmental consultation on strengthening of the scientific base of the Programme, including the reinforcement of the scientific capacity of developing

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[179] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 25* (A/63/25).

[180] Ibid., annex I.

[181] See UNEP/GCSS.X/8.

[182] See the report of the International Conference on Chemicals Management on the work of its first session (SAICM/ICCM.1/7), annexes I–III.

[183] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 25* (A/62/25), annex I, decision 24/3.

[184] Ibid., *Fifty-seventh Session, Supplement No. 25* (A/57/25), annex I.

[185] United Nations publication, Sales No. E.07.III.D.19.

countries, in the area of protection of the environment, including through the provision of adequate financial resources, and in this respect emphasizes the importance of building on the experiences gained from the preparation of different global environmental assessments as well as other relevant developments in this field;

12. *Reiterates* the need for stable, adequate and predictable financial resources for the United Nations Environment Programme, and, in accordance with General Assembly resolution 2997 (XXVII), underlines the need to consider the adequate reflection of all administrative and management costs of the Programme in the context of the United Nations regular budget;

13. *Invites* Governments that are in a position to do so to increase their contributions to the Environment Fund;

14. *Emphasizes* the importance of the Nairobi headquarters location of the United Nations Environment Programme, and requests the Secretary-General to keep the resource needs of the Programme and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to the Programme and to the other United Nations organs and organizations in Nairobi;

15. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Sustainable development", a sub-item entitled "Report of the Governing Council of the United Nations Environment Programme on its twenty-fifth session".

RESOLUTION 63/221

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/415, para. 11)[186]

63/221. Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)

The General Assembly,

Recalling its resolutions 3327 (XXIX) of 16 December 1974, 32/162 of 19 December 1977, 34/115 of 14 December 1979, 56/205 and 56/206 of 21 December 2001, 57/275 of 20 December 2002, 58/226 and 58/227 of 23 December 2003, 59/239 of 22 December 2004, 60/203 of 22 December 2005, 61/206 of 20 December 2006 and 62/198 of 19 December 2007,

Taking note of Economic and Social Council resolutions 2002/38 of 26 July 2002 and 2003/62 of 25 July 2003 and Council decisions 2004/300 of 23 July 2004, 2005/298 of 26 July 2005, 2006/247 of 27 July 2006, 2007/249 of 26 July 2007 and 2008/239 of 23 July 2008,

Recalling the goal contained in the United Nations Millennium Declaration[187] of achieving a significant improvement in the lives of at least 100 million slum-dwellers by 2020 and the goal contained in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")[188] to halve, by 2015, the proportion of people who lack access to safe drinking water and sanitation,

Recalling also the Habitat Agenda,[189] the Declaration on Cities and Other Human Settlements in the New Millennium,[190] the Johannesburg Plan of Implementation and the Monterrey Consensus of the International Conference on Financing for Development,[191]

Recalling further the 2005 World Summit Outcome,[192] which calls upon the States Members of the United Nations to achieve significant improvement in the lives of at least 100 million slum-dwellers by 2020, recognizing the urgent need for the provision of increased resources for affordable housing and housing-related infrastructure, prioritizing slum prevention and slum upgrading, and to encourage support for the United Nations Habitat and Human Settlements Foundation and its Slum Upgrading Facility,

Recognizing the negative impact of environmental degradation, including climate change, desertification and loss of biodiversity, on human settlements,

Recognizing also that the current financial crisis could negatively affect the ability of the United Nations Human Settlements Programme (UN-Habitat) to mobilize resources and promote the use of incentives and market measures as well as the mobilization of domestic and international financial resources for supporting private sector investment in affordable housing,

Noting the important contribution of UN-Habitat, within its mandate, to more cost-effective transitions between emergency relief, recovery and reconstruction, and also welcoming the decision to admit UN-Habitat to the Inter-Agency Standing Committee,

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[186] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[187] See resolution 55/2.

[188] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[189] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[190] Resolution S-25/2, annex.

[191] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[192] See resolution 60/1.

Recognizing the significance of the urban dimension of poverty eradication and the need to integrate water and sanitation and other issues within a comprehensive framework for sustainable development,

Recognizing also the importance of decentralization policies for achieving sustainable human settlements development in line with the Habitat Agenda and the internationally agreed development goals, including the Millennium Development Goals,

Noting the progress so far made by UN-Habitat in the implementation of its Medium-term Strategic and Institutional Plan for the period 2008–2013,

Welcoming the efforts of UN-Habitat, as a non-resident agency and through its national Habitat programme managers, in helping programme countries to mainstream the Habitat Agenda in their development frameworks,

Expressing its appreciation to the Government of China and the city of Nanjing for hosting the fourth session of the World Urban Forum from 3 to 6 November 2008 and to the Government of Brazil for its offer to host the fifth session of the World Urban Forum in 2010,

Noting the efforts of UN-Habitat in strengthening its collaboration with the World Bank, the regional development banks and domestic financial institutions, ensuring that its policy advisory and capacity-building activities leverage investment finance to improve water and sanitation as entry point to the attainment of internationally agreed development goals, including the Millennium Development Goals,

Recognizing the need for UN-Habitat to sharpen its focus on all areas within its mandate,

Recognizing also the continued need for increased and predictable financial contributions to the United Nations Habitat and Human Settlements Foundation to ensure timely, effective and concrete global implementation of the Habitat Agenda, the Declaration on Cities and Other Human Settlements in the New Millennium and the relevant internationally agreed development goals, including those contained in the Millennium Declaration and the Johannesburg Declaration on Sustainable Development [193] and Johannesburg Plan of Implementation,

Recognizing further the progress being made by UN-Habitat in the development of the Experimental Reimbursable Seeding Operations Trust Fund of the United Nations Habitat and Human Settlements Foundation, established by the Governing Council of UN-Habitat in its resolution 21/10,[194]

1. *Takes note* of the report of the Secretary-General on the coordinated implementation of the Habitat Agenda[195] and the report of the Secretary-General on the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat);[196]

2. *Welcomes* the efforts of UN-Habitat in the implementation of its Medium-term Strategic and Institutional Plan for the period 2008–2013, and encourages Governments in a position to do so, and other stakeholders, to contribute to UN-Habitat so as to further strengthen its efforts in institutional reform and the pursuit of management excellence, including results-based management;

3. *Encourages* Governments to promote the principles and practice of sustainable urbanization and strengthen the role and contribution of their respective local authorities in applying those principles and practice, in order to improve the living conditions of vulnerable urban populations, including slum-dwellers and the urban poor, and as a major contribution to mitigating the causes of climate change, adapting to the effects of climate change and reducing risks and vulnerabilities in a rapidly urbanizing world, including human settlements in fragile ecosystems, and invites the international donor community to support the efforts of developing countries in this regard;

4. *Reiterates its call* for continued financial support to UN-Habitat through increased voluntary contributions, and invites Governments in a position to do so, and other stakeholders, to provide predictable multi-year funding and increased non-earmarked contributions to support the strategic and institutional objectives of the Medium-term Strategic and Institutional Plan for the period 2008–2013 and its Global Campaign on Sustainable Urbanization;

5. *Invites* the international donor community and financial institutions to contribute generously to the Water and Sanitation Trust Fund, the Slum Upgrading Facility and the technical cooperation trust funds to enable UN-Habitat to assist developing countries in mobilizing public investment and private capital for slum upgrading, shelter and basic services;

6. *Also invites* the international donor community and financial institutions to contribute to the Experimental

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[193] *Report on the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[194] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 8* (A/62/8), annex I, sect. B.

[195] E/2008/64.

[196] A/63/291.

Reimbursable Seeding Operations Trust Fund of the United Nations Habitat and Human Settlements Foundation;

7. *Requests* the Secretary-General to keep the resource needs of UN-Habitat under review so as to enhance its effectiveness in supporting national policies, strategies and plans in attaining the poverty eradication, gender equality, water and sanitation and slum upgrading targets of the United Nations Millennium Declaration,[190] the Johannesburg Plan of Implemenation[191] and the 2005 World Summit Outcome;[192]

8. *Calls upon* UN-Habitat to strengthen efforts to coordinate and implement its normative and operational activities through the enhanced normative and operational framework elaborated in the Medium-term Strategic and Institutional Plan, reinforcing its normative activities, and invites all countries in a position to do so to support the activities of UN-Habitat in this regard;

9. *Invites* UN-Habitat to enhance cooperation with regional and subregional organizations and to consider strengthening the strategic presence of its programmes in the regions in contributing to sustainable development programmes;

10. *Requests* UN-Habitat, within the framework of its experimental reimbursable seeding operations for housing finance, and in close collaboration with international and regional financial institutions, to document and disseminate lessons learned, bearing in mind the provisions of resolution 21/10 of the Governing Council of UN-Habitat,[194] and fully taking into account the recent housing finance crisis, as well as other relevant factors;

11. *Invites* the Governing Council of UN-Habitat to keep under review developments in the housing finance systems in view of the current financial crisis, and decides to explore the possibility of convening a high-level event of the General Assembly on this subject;

12. *Encourages* Member States to strengthen or establish, as appropriate, broad-based national Habitat committees with a view to mainstreaming sustainable urbanization and urban poverty reduction in their respective national development strategies;

13. *Encourages* the Economic and Social Council to include sustainable urbanization, urban poverty reduction and slum upgrading as a cross-cutting issue in the follow-up to the outcome of relevant summits and major international conferences;

14. *Emphasizes* the importance of the Nairobi headquarters location of UN-Habitat, and requests the Secretary-General to keep the resource needs of UN-Habitat and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to UN-Habitat and the other United Nations organs and organizations in Nairobi;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)".

RESOLUTION 63/222

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/416/Add.1, para. 20)[197]

63/222. Role of the United Nations in promoting development in the context of globalization and interdependence

The General Assembly,

Recalling its resolutions 53/169 of 15 December 1998, 54/231 of 22 December 1999, 55/212 of 20 December 2000, 56/209 of 21 December 2001, 57/274 of 20 December 2002, 58/225 of 23 December 2003, 59/240 of 22 December 2004, 60/204 of 22 December 2005, 61/207 of 20 December 2006 and 62/199 of 19 December 2007 on the role of the United Nations in promoting development in the context of globalization and interdependence,

Recalling also the 2005 World Summit Outcome[198] and all relevant General Assembly resolutions, in particular those that have built upon the 2005 World Summit Outcome, in the economic, social and related fields, including resolution 60/265 of 30 June 2006 on follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals,

Reaffirming that the United Nations has a central role in promoting international cooperation for development and in promoting policy coherence on global development issues, including in the context of globalization and interdependence,

Reaffirming also the resolve expressed in the United Nations Millennium Declaration[199] to ensure that globalization works as a positive force for all,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated,

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[197] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[198] See resolution 60/1.

[199] See resolution 55/2.

Recognizing also that globalization, driven largely by economic liberalization and technology, implies that the economic performance of a country is increasingly affected by factors outside its geographical borders and that maximizing in an equitable manner the benefits of globalization requires developing responses to globalization through a strengthened global partnership for development to achieve the internationally agreed development goals, including the Millennium Development Goals,

Expressing concern that the number of people living in poverty is higher than previously estimated,[200] despite significant progress, and that the current financial and food insecurity crises and unpredictable energy prices may pose significant challenges for the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Recognizing that domestic economies are now interwoven with the global economy and that globalization affects all countries in different ways, and that countries on the one hand have trade and investment opportunities to, inter alia, fight poverty, while on the other hand they face constraints in the degree of flexibility they have in pursuing their national development strategies,

Reaffirming its strong support for fair and inclusive globalization and the need to translate growth into reduction of poverty and, in this regard, its resolve to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of relevant national and international policies as well as national development strategies, including poverty reduction strategies, as part of efforts to achieve the Millennium Development Goals,

Noting that particular attention must be given, in the context of globalization, to the objective of protecting, promoting and enhancing the rights and welfare of women and girls, as stated in the Beijing Declaration and Platform for Action,[201]

Reaffirming its commitment to governance, equity and transparency in the financial, monetary and trading systems and its commitment to open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial systems,

1. *Takes note* of the report of the Secretary-General;[202]

2. *Expresses deep concern* at the impact of the current financial crisis and global economic slowdown on the ability of developing countries to gain access to the financing necessary for their development objectives, and underlines the fact that developing countries and countries with economies in transition risk suffering very serious setbacks to their development objectives, in particular the achievement of the internationally agreed development goals, including the Millennium Development Goals;

3. *Recognizes* the measures adopted by Governments to address the present financial crisis, and, in that regard, calls upon all countries to manage their macroeconomic and financial policies in ways that contribute to global stability and sustained economic growth and sustainable development;

4. *Also recognizes* that greater coherence is required among the macroeconomic, trade, aid, financial, environmental and gender-equality policies to support the common aim of ensuring that globalization works as a positive force for all;

5. *Further recognizes* that new and highly globalized financial instruments continue to change the nature of risks in the world economy, requiring continuing enhancement of market oversight and regulation, and underlines the fact that, to strengthen the resilience of the international financial system, reforms will need to be implemented that will strengthen the regulatory and supervisory frameworks of financial markets;

6. *Underlines* the fact that economies exist in a globalizing world where the emergence of rule-based regimes for international economic relations has meant that the space for national economic policy, that is to say the scope for domestic policies, especially in the areas of trade, investment and industrial development, is now often framed by international disciplines, commitments and global market considerations, that it is for each Government to evaluate the trade-off between the benefits of accepting international rules and commitments and the constraints posed by the loss of policy space, and that it is particularly important for developing countries, bearing in mind development goals and objectives, that all countries take into account the need for appropriate balance between national policy space and international disciplines and commitments, and, in this regard, notes with appreciation the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008;[203]

7. *Reaffirms* that good governance is essential for sustainable development, that sound economic policies, solid democratic institutions responsive to the needs of the people and improved infrastructure are the basis for sustained economic growth, poverty eradication and employment creation, and that freedom, peace and security, domestic stability, respect for human rights, including the right to development, and the rule

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[200] World Bank estimates, as at August 2008, calculated using a revised poverty line.

[201] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[202] A/63/333.

[203] See TD/442 and Corr.1.

of law, gender equality, market-oriented policies and an overall commitment to just and democratic societies are also essential and mutually reinforcing;

8. *Also reaffirms* that good governance at the international level is fundamental for achieving sustainable development, that, in order to ensure a dynamic and enabling international economic environment, it is important to promote global economic governance by addressing the international finance, trade, technology and investment patterns that have an impact on the development prospects of developing countries and that, to this end, the international community should take all necessary and appropriate measures, including ensuring support for structural and macroeconomic reform, a comprehensive solution to the external debt problem and increasing the market access of developing countries;

9. *Further reaffirms* that each country has primary responsibility for its own development, that the role of national policies and development strategies cannot be overemphasized in the achievement of sustainable development, and that national efforts should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty;

10. *Reaffirms* the commitment to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting, stresses, to that end, the importance of continuing efforts to reform the international financial architecture, noting that enhancing the voice and participation of developing countries and countries with economies in transition in the Bretton Woods institutions remains a continuous concern, and calls in this regard for further and effective progress;

11. *Stresses* the need for increased support for investment in agricultural productivity, particularly in developing countries, in order to achieve the internationally agreed development goals, including the Millennium Development Goals;

12. *Encourages* all development partners to help to strengthen and support the national health and education policies and plans of developing countries by providing assistance and funding in accordance with their development needs and priorities;

13. *Calls upon* Governments to assign a high priority to education, including by establishing institutions, in particular for basic education and vocational training, and improving access to and the quality of primary, secondary and tertiary education, including by developing a clear vision for the long-term development of a comprehensive, diversified and well-articulated tertiary education system;

14. *Calls upon* countries to increase public expenditure and encourage greater private and community investment to achieve international goals and targets in the areas of health, nutrition and sanitation consistent with public policy objectives related to equitable access as well as meeting the specific health goals of reducing child and maternal mortality and reducing the spread of diseases such as HIV/AIDS, tuberculosis and malaria;

15. *Calls upon* all countries to promote sustainable consumption and production patterns, with the developed countries taking the lead and all countries benefiting from the process, taking into account the Rio principles, including, inter alia, the principle of common but differentiated responsibilities as set out in principle 7 of the Rio Declaration on Environment and Development;[204]

16. *Stresses* the need for all countries to harness knowledge and technology and stimulate innovation if they are to improve their competitiveness and benefit from trade and investment, and in this regard underlines the importance of concrete actions to facilitate technology transfer under fair, transparent and mutually agreed terms to developing countries in support of the implementation of their sustainable development strategies;

17. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the theme "Globalization and interdependence: the role of the United Nations in poverty reduction and sustainable development" under the item entitled "Globalization and interdependence";

18. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Globalization and interdependence", the sub-item entitled "Role of the United Nations in promoting development in the context of globalization and interdependence".

RESOLUTION 63/223

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/416/Add.1, para. 20)[205]

63/223. Development cooperation with middle-income countries

The General Assembly,

Recalling the outcomes of the United Nations major international conferences and summits, including the United

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[204] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[205] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

Nations Millennium Declaration[206] and the 2005 World Summit Outcome,[207] as well as the relevant provisions of General Assembly resolutions,

Reaffirming its resolution 62/208 of 19 December 2007, entitled "Triennial comprehensive policy review of operational activities for development of the United Nations system", in which it recognized that middle-income developing countries still face significant challenges in the area of poverty eradication and that efforts to address those challenges should be supported in order to ensure that achievements made to date are sustained, including through support to the effective development of comprehensive cooperation policies,

Emphasizing that middle-income countries must take primary responsibility for their own development, and that their national efforts should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of middle-income countries, while taking into account their specific national conditions,

Noting that national averages based on criteria such as per capita income do not always reflect the actual particularities and development needs of the middle-income countries, and recognizing the significant diversity of middle-income countries,

Taking note of the outcomes of the international conferences on development cooperation with middle-income countries held in Madrid,[208] El Salvador[209] and Windhoek,[210] and the regional conference on the theme "Increasing the competitiveness of African middle-income countries", held in Cairo,[211]

1. *Recognizes* that middle-income countries still face significant challenges in their efforts to achieve the internationally agreed development goals, including the Millennium Development Goals, and, in that regard, underlines the importance of international support, through various forms, that is well aligned with national priorities, to address the development needs of middle-income countries;

2. *Acknowledges* the efforts made and successes achieved by many middle-income countries to eradicate poverty and achieve the internationally agreed development goals, including the Millennium Development Goals, as well as their significant contribution to global and regional development and economic stability;

3. *Recognizes* the solidarity of middle-income countries with other developing countries with a view to supporting their development efforts, including in the context of South-South and triangular cooperation;

4. *Invites* the United Nations development system to support middle-income countries, as appropriate, and to improve its coordination and exchange of experiences with other international organizations, international financial institutions and regional organizations in this field;

5. *Acknowledges* the initiative of middle-income countries to hold follow-up conferences and other meetings regarding their development on a yearly basis, and, in this regard, requests the United Nations system to continue supporting these endeavours in collaboration with other relevant international organizations;

6. *Requests* the Secretary-General to submit a comprehensive report on the implementation of all the elements of the present resolution to the General Assembly at its sixty-fourth session under the item entitled "Globalization and interdependence", with a focus on existing strategies and actions of the United Nations development system on development cooperation with middle-income countries, and taking into account the work of other relevant international organizations, including international financial institutions.

RESOLUTION 63/224

Adopted at the 72nd plenary meeting, on 19 December 2008, on the recommendation of the Committee (A/63/416/Add.1, para. 20),[212] by a recorded vote of 123 to 1, with 52 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania,

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[206] See resolution 55/2.

[207] See resolution 60/1.

[208] See A/62/71-E/2007/46.

[209] See A/62/483-E/2007/90.

[210] See A/C.2/63/3.

[211] Held on 11 and 12 March 2008 to discuss how the World Bank and the African Development Bank can better align their services to the needs of the middle-income countries in Africa.

[212] The draft resolution recommended in the report was sponsored in the Committee by Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China).

Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland

63/224. Towards a New International Economic Order

The General Assembly,

Bearing in mind the purposes and principles of the Charter of the United Nations to promote the economic advancement and social progress of all peoples,

Recalling the principles of the Declaration on the Establishment of a New International Economic Order and the Programme of Action on the Establishment of a New International Economic Order, as set out in resolutions 3201 (S-VI) and 3202 (S-VI), respectively, adopted by the General Assembly at its sixth special session, on 1 May 1974,

Taking into account the fact that the year 2009 marks the thirty-fifth anniversary of the adoption of the Declaration and the Programme of Action,

Reaffirming the United Nations Millennium Declaration,[213]

Recalling the outcomes of the major United Nations conferences and summits in the economic, social and related fields, including the development goals and objectives contained therein, and recognizing the vital role played by those conferences and summits in shaping a broad development vision and in identifying commonly agreed objectives,

Concerned that the current international economic, financial, energy and food crises, as well as the challenges posed by climate change, aggravate the existing international situation and have a negative impact on the development prospects of developing countries, while threatening to further widen the gap between developed and developing countries, including the technological and income gap,

1. *Reaffirms* the need to continue working towards a new international economic order based on the principles of equity, sovereign equality, interdependence, common interest, cooperation and solidarity among all States;

2. *Decides* to consider in depth the international economic situation and its impact on development during the sixty-fourth session of the General Assembly, and in that regard requests the Secretary-General to include in his next report, under the item entitled "Globalization and interdependence", an overview of the major international economic and policy challenges for equitable and inclusive sustained economic growth and sustainable development, and of the role of the United Nations in addressing these issues, in the light of the relevant principles contained in the Declaration on the Establishment of a New International Economic Order and the Programme of Action on the Establishment of a New International Economic Order.

RESOLUTION 63/225

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/416/Add.2, para. 9)[214]

63/225. International migration and development

The General Assembly,

Recalling its resolutions 58/208 of 23 December 2003, 59/241 of 22 December 2004, 60/227 of 23 December 2005, 60/206 of 22 December 2005 on the facilitation and reduction of the cost of transfer of migrant remittances, 62/156 of 18 December 2007 on the protection of migrants, 62/270 of 20 June 2008 on the Global Forum on Migration and Development and 61/208 of 20 December 2006 on international migration and development,

Recalling also the 2005 World Summit Outcome[215] and its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, and taking note of the Doha Declaration on Financing for Development, adopted on 2 December 2008,[216]

Recalling further its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Reaffirming the Universal Declaration of Human Rights,[217] and recalling the International Covenant on Civil and Political Rights,[218] the International Covenant on Economic, Social and Cultural Rights,[218] the International Convention on the Elimination of All Forms of Racial Discrimination,[219] the Convention on the Elimination of All Forms of Discrimination against Women,[220] and the Convention on the Rights of the Child,[221]

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[213] See resolution 55/2.

[214] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[215] See resolution 60/1.

[216] A/CONF.212/L.1/Rev.1.

[217] Resolution 217 A (III).

[218] See resolution 2200 A (XXI), annex.

Recalling the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[222] and the invitation to Member States that have not yet done so to consider signing and ratifying or acceding to the Convention,

Recalling also the importance of the decent work agenda of the International Labour Organization, including for migrant workers, and the eight fundamental Conventions of the International Labour Organization,

Recalling further Commission on Population and Development resolution 2006/2 of 10 May 2006,[223]

Bearing in mind the summary by the President of the General Assembly of the 2006 High-level Dialogue on International Migration and Development,[224]

Acknowledging that the High-level Dialogue on International Migration and Development provided a useful opportunity to address constructively the issue of international migration and development and heightened awareness of the issue,

Acknowledging also the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, transit and destination, and recognizing that migration brings benefits as well as challenges to the global community,

Acknowledging further the important contribution provided by migrants and migration to development, as well as the complex interrelationship between migration and development,

Recognizing that remittance flows constitute sources of private capital and that remittances have increased over time, complement domestic savings and are instrumental in improving the well-being of recipients,

1. *Takes note* of the report of the Secretary-General;[225]

2. *Encourages* efforts by Member States and the international community to promote a balanced, coherent and comprehensive approach to international migration and development, particularly by building partnerships and ensuring coordinated action to develop capacities, including for the management of migration;

3. *Emphasizes* that respect for the human rights and fundamental freedoms of all migrants is essential for reaping the benefits of international migration;

4. *Recognizes with appreciation* the important contribution made by migrants and migration to development in countries of origin and destination;

5. *Takes note* of the Global Forum on Migration and Development, which held its first meeting in Brussels from 9 to 11 July 2007, and its second meeting in Manila from 27 to 30 October 2008, as an informal, voluntary, open, State-led initiative, and also takes note of the generous offer of the Government of Greece to host the third meeting of the Global Forum, to be held in Athens on 4 and 5 November 2009, as well as the offers of other Governments to hold subsequent meetings of the Forum;

6. *Invites* the countries of origin and destination, in accordance with domestic legislation, to undertake appropriate measures to facilitate the contribution of migrants and migrant communities to the development of their countries of origin;

7. *Recognizes* the need for Member States to continue considering the multidimensional aspects of international migration and development in order to identify appropriate ways and means of maximizing the development benefits and minimizing the negative impacts;

8. *Reaffirms* that there is a need to address and promote conditions for cheaper, faster and safer transfers of remittances in both source and recipient countries and, as appropriate, to encourage opportunities for development-oriented investment in recipient countries by beneficiaries that are willing and able to undertake such action, bearing in mind that remittances cannot be considered a substitute for foreign direct investment, official development assistance, debt relief or other public sources of financing for development;

9. *Reiterates* the need to consider how the migration of highly skilled persons and those with advanced education affects the development efforts of developing countries;

10. *Acknowledges* the need to analyse the impact of certain forms of temporary migration, circular migration and return migration on the development of countries of origin, transit and destination, as well as on migrants themselves;

11. *Urges* Member States and relevant international organizations to incorporate a gender perspective in all policies and programmes on international migration in order to, inter alia, reinforce the positive contributions that migrant women can

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[219] United Nations, *Treaty Series*, vol. 660, No. 9464.

[220] Ibid., vol. 1249, No. 20378.

[221] Ibid., vol. 1577, No. 27531.

[222] Ibid., vol. 2220, No. 39481.

[223] See *Official Records of the Economic and Social Council, 2006, Supplement No. 5* (E/2006/25), chap. I, sect. B.

[224] A/61/515.

[225] A/63/265 and Corr.1.

make to the economic, social and human development of their countries of origin and their host countries, and to strengthen the protection of women migrants from all forms of violence, discrimination, trafficking, exploitation and abuse by promoting their rights and welfare, while recognizing in this regard the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels;

12. *Requests* all Member States, in accordance with their relevant international obligations and commitments, to promote cooperation at all levels in addressing the challenge of undocumented or irregular migration so as to foster a secure, regular and orderly process of migration;

13. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system, and other relevant intergovernmental, regional and subregional organizations, including the Global Migration Group, within their respective mandates, to continue to address the issue of international migration and development, with a view to integrating migration issues, including a gender perspective and cultural diversity, in a more coherent way, within the context of the implementation of the internationally agreed development goals, including the Millennium Development Goals, and with respect for human rights;

14. *Calls upon* the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the development of methodologies for the collection and processing of statistical data on international migration and the situation of migrants in countries of origin, transit and destination and to assist Member States in their capacity-building efforts in this regard;

15. *Encourages* the United Nations system and other relevant international organizations to support developing countries in their efforts to address migration issues within their respective development strategies in the context of the implementation of the internationally agreed development goals, including the Millennium Development Goals;

16. *Decides* to hold, within existing resources, a High-level Dialogue on International Migration and Development during its sixty-eighth session, in 2013, the focus and modalities of which will be decided upon at its sixty-seventh session;

17. *Also decides* to convene, within existing resources, at its sixty-fifth session, in 2011, a one-day informal thematic debate on international migration and development;

18. *Further decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled "International migration and development";

19. *Invites* the regional commissions to examine regional aspects of international migration and development and to provide inputs, in accordance with respective mandates and within existing resources, to the report of the Secretary-General on this item;

20. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution.

RESOLUTION 63/226

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/416/Add.4, para. 8)[226]

63/226. Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption

The General Assembly,

Recalling its resolutions 54/205 of 22 December 1999, 55/188 of 20 December 2000, 56/186 of 21 December 2001 and 57/244 of 20 December 2002, 58/205 of 23 December 2003, 59/242 of 22 December 2004, 60/207 of 22 December 2005, 61/209 of 20 December 2006 and 62/202 of 19 December 2007,

Welcoming the entry into force on 14 December 2005 of the United Nations Convention against Corruption,[227]

Welcoming also the convening of the second session of the Conference of the States Parties to the United Nations Convention against Corruption, in Nusa Dua, Indonesia, from 28 January to 1 February 2008, and stressing the need for States parties to take steps to implement the outcome of that Conference,

Recalling the Monterrey Consensus of the International Conference on Financing for Development,[228] which underlined that fighting corruption at all levels is a priority, and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[229]

Recognizing that fighting corruption at all levels is a priority and that corruption is a serious barrier to effective resource mobilization and allocation and diverts resources away from activities that are vital for poverty eradication, the fight against hunger, and economic and sustainable development,

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[226] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[227] United Nations, *Treaty Series*, vol. 2349, No. 42146.

[228] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[229] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

Emphasizing the need for solid democratic institutions responsive to the needs of the people and the need to improve the efficiency, transparency and accountability of domestic administration and public spending and the rule of law, to ensure full respect for human rights, including the right to development, and to eradicate corruption and build sound economic and social institutions,

Recalling that the fight against all forms of corruption requires strong institutions at all levels, including at the local level, able to undertake efficient preventive and law enforcement measures consistent with the United Nations Convention against Corruption, in particular chapters II and III,

Determined to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation on asset recovery, consistent with the Convention,

Reiterating its concern about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and the values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law, in particular when an inadequate national and international response leads to impunity,

Convinced that corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential,

Convinced also that a stable and transparent environment for national and international commercial transactions in all countries is essential for the mobilization of investment, finance, technology, skills and other important resources, and recognizing that effective efforts at all levels to prevent and combat corruption in all its forms in all countries are essential elements of an improved national and international business environment,

Mindful of the very important role that the private sector can play in fostering economic growth and development and of the active involvement of the United Nations system in facilitating the constructive participation and orderly interaction of the private sector in the development process by embracing universal principles and norms, such as honesty, transparency and accountability,

Recognizing the concern about the laundering and the transfer of assets of illicit origin derived from corruption, and stressing the need to address this concern consistent with the Convention,

Concerned about the links between corruption in all its forms, including bribery, corruption-related money-laundering and the transfer of assets of illicit origin, and other forms of crime, in particular organized crime and economic crime,

Noting the particular concern of developing countries and countries with economies in transition regarding the return of assets of illicit origin derived from corruption, in particular to countries from which they originated, consistent with the principles of the Convention, in particular chapter V, so as to enable countries to design and fund development projects in accordance with their national priorities, in view of the importance that such assets can have to their sustainable development,

Noting also that corrupt practices include public funds being illegally acquired, transferred, invested abroad or laundered,

1. *Takes note* of the report of the Secretary-General;[230]

2. *Expresses concern* about the magnitude of corruption at all levels, including the scale of the transfer of assets of illicit origin derived from corruption, and in this regard reiterates its commitment to preventing and combating corrupt practices at all levels, consistent with the United Nations Convention against Corruption;[227]

3. *Condemns* corruption in all its forms, including bribery, as well as the laundering of proceeds of corruption and other forms of economic crime;

4. *Urges* all Governments to combat and penalize corruption in all its forms as well as the laundering of proceeds of corruption, to prevent the transfer of illicitly acquired assets, and to work for the prompt return of such assets through asset recovery consistent with the principles of the Convention, particularly chapter V;

5. *Stresses* the need for transparency in financial institutions, invites Member States to work on the identification and tracing of financial flows linked to corruption, the freezing or seizing of assets derived from corruption and the return of such assets, consistent with the Convention, and encourages the promotion of human and institutional capacity-building in this regard;

6. *Affirms* the need for Member States, consistent with the Convention, to take measures to prevent the transfer abroad and laundering of assets derived from corruption, including to prevent the financial institutions in both countries of origin and destination from being used to transfer or receive illicit funds, as well as to assist in their recovery and to return such assets to the requesting State, consistent with the Convention;

7. *Stresses* the importance of mutual legal assistance, and encourages Member States to enhance international cooperation, consistent with the Convention;

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[230] A/63/88.

8. *Welcomes* the high number of Member States that have already ratified or acceded to the Convention, and in this regard urges all Member States and competent regional economic integration organizations, within the limits of their competence, that have not yet done so to consider ratifying or acceding to the Convention as a matter of priority, and calls upon all States parties to fully implement the Convention as soon as possible;

9. *Calls upon* States parties to continue to support the work carried out by the Open-ended Intergovernmental Expert Working Groups on Asset Recovery, Technical Assistance and Review of Implementation in order to facilitate the full implementation of the Convention, and the review thereof, and in this regard encourages the Conference of the States Parties to the Convention at its third session to consider the recommendations prepared by the three working groups, including the terms of reference for a review mechanism;

10. *Welcomes* the responses already received to the self-assessment checklist on the implementation of the Convention, and encourages all States parties that have not yet done so to submit the self-assessment checklist to the United Nations Office on Drugs and Crime;

11. *Also welcomes* the efforts of Member States that have enacted laws and taken other positive measures in the fight against corruption in all its forms, including in accordance with the Convention, and in this regard encourages Member States that have not yet done so to enact such laws and to implement effective measures at the national level and, in accordance with domestic law and policies, at the local level, to prevent and combat corruption;

12. *Takes note with appreciation* of the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank, takes note of its cooperation with relevant partners, including the International Centre for Asset Recovery, and encourages coordination among existing initiatives;

13. *Calls for* further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin, consistent with the principles of the Convention, and in this regard encourages close cooperation between anti-corruption agencies, law enforcement agencies and financial intelligence units;

14. *Urges* all Member States, consistent with the Convention, to abide by the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of transparency, accountability and rejection of corruption;

15. *Encourages* Member States to provide adequate financial and human resources to the United Nations Office on Drugs and Crime, including for the effective implementation of the Convention, and also encourages the Office to give high priority to technical cooperation, upon request, inter alia, to promote and facilitate the ratification, acceptance, approval of or accession to, and the implementation of, the Convention;

16. *Requests* the international community to provide, inter alia, technical assistance to support national efforts to strengthen human and institutional capacity aimed at preventing and combating corrupt practices and the transfer of assets of illicit origin as well as for asset recovery consistent with the principles of the Convention, particularly chapter V, and to support national efforts in formulating strategies for mainstreaming and promoting transparency and integrity in both the public and the private sectors;

17. *Encourages* Member States that have not yet done so to require financial institutions to properly implement comprehensive due diligence and vigilance programmes, consistent with the principles of the Convention and those of other relevant applicable instruments;

18. *Reiterates its call upon* the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, notes in this context the role that the Global Compact can play in fighting corruption and promoting transparency, and emphasizes the need for all relevant stakeholders, including within the United Nations system, as appropriate, to continue to promote corporate responsibility and accountability;

19. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and to discharge its functions as the secretariat of the Conference of the States Parties to the Convention, in accordance with its mandate;

20. *Takes note* of the offer of the Government of Qatar to host the third session of the Conference of the States Parties to the Convention in 2009, and invites all States parties and signatories to take measures aimed at promoting the full and effective implementation of the Convention;

21. *Requests* the Secretary-General to submit to the General Assembly, at its sixty-fourth session, a report on the implementation of the present resolution and also to transmit to the Assembly a report on the third session of the Conference of the States Parties to the Convention;

22. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Globalization and interdependence", the sub-item entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption".

RESOLUTION 63/227

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/417/Add.1, para. 10)[231]

63/227. Implementation of the Brussels Programme of Action for the Least Developed Countries for the Decade 2001–2010

The General Assembly,

Recalling the Brussels Declaration[232] and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[233]

Recalling also the United Nations Millennium Declaration,[234]

Recalling further its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling the 2005 World Summit Outcome,[235]

Recalling also its resolution 62/203 of 19 December 2007,

Taking note of Economic and Social Council resolution 2008/37 of 25 July 2008,

Taking note also of the Ministerial Declaration adopted at the Annual Meeting of Ministers for Foreign Affairs of the Least Developed Countries on 29 September 2008 in New York,[236]

Reaffirming that the Programme of Action constitutes a fundamental framework for a strong global partnership, whose goal is to accelerate sustained economic growth, sustainable development and poverty eradication in the least developed countries,

1. *Takes note* of the report of the Secretary-General[237] and his note on the modalities of the Fourth United Nations Conference on the Least Developed Countries;[238]

2. *Welcomes* the contributions made in the lead-up to the midterm comprehensive global review of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010,[233] and notes the Cotonou Strategy for the Further Implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010[239] as an initiative owned and led by the least developed countries;

3. *Also welcomes* the Declaration[240] adopted by Heads of State and Government and heads of delegations participating in the high-level meeting of the sixty-first session of the General Assembly on the midterm comprehensive global review of the implementation of the Programme of Action, in which they recommitted themselves to addressing the special needs of the least developed countries by making progress towards the goals of poverty eradication, peace and development;

4. *Decides* to convene, as called for in paragraph 114 of the Programme of Action, the Fourth United Nations Conference on the Least Developed Countries at a high level in 2011 for a duration of not more than five working days, with the following mandate:

(*a*) To undertake a comprehensive appraisal of the implementation of the Programme of Action by the least developed countries and their development partners, share best practices and lessons learned, and identify obstacles and constraints encountered as well as actions and initiatives needed to overcome them;

(*b*) To identify effective international and domestic policies in the light of the outcome of the appraisal as well as new and emerging challenges and opportunities and the means to address them;

(*c*) To reaffirm the global commitment to addressing the special needs of the least developed countries made at the major United Nations conferences and summits, including the Millennium Summit and the 2005 World Summit, in particular the needs related to sustainable development in its economic, social and environmental dimensions, and to support the least developed countries in eradicating poverty and integrating beneficially into the global economy;

(*d*) To mobilize additional international support measures and action in favour of the least developed countries, and, in this regard, to formulate and adopt a renewed partnership between the least developed countries and their development partners;

5. *Also decides* to convene, towards the end of 2010 and/or early in 2011, an intergovernmental preparatory committee, which would hold no more than two meetings;

6. *Further decides* that the meeting of the preparatory committee will be preceded by two regional-level preparatory meetings, one in collaboration with the Economic Commission for Africa and the other in collaboration with the Economic and Social Commission for Asia and the Pacific, in the context of

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[231] The draft resolution recommended in the report was submitted by the Rapporteur of the Committee.

[232] A/CONF.191/13, chap I.

[233] Ibid., chap. II.

[234] See resolution 55/2.

[235] See resolution 60/1.

[236] A/C.2/63/8, annex.

[237] A/63/77-E/2008/61.

[238] A/63/284.

[239] A/61/117, annex I.

[240] See resolution 61/1.

the regular annual sessions of each Commission, those regional-level meetings to be supported by broad-based and inclusive country-level preparations;

7. *Stresses* that the Conference and the preparatory activities should be carried out within the budget level proposed by the Secretary-General for the biennium 2010–2011 and should be organized in the most effective and efficient manner possible;

8. *Decides* to take a decision on the organizational aspects, date and venue of the Conference, and on the venue, duration and dates of the preparatory committee meetings, before the end of its sixty-third session;

9. *Recognizes* the importance of the contributions of civil society actors at the Conference and in its preparatory process, and in this regard stresses the need for their active participation in accordance with the rules of procedure of the General Assembly;

10. *Decides* that the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States will be the focal point for the preparations for the Conference, in accordance with mandates given in General Assembly resolution 56/227 of 24 December 2001, to ensure that those preparations are carried out effectively, and to mobilize and coordinate the active involvement of the organizations of the United Nations system;

11. *Requests* the organizations of the United Nations system, including the United Nations Development Programme, the United Nations Conference on Trade and Development, the regional commissions, the specialized agencies, and funds and programmes, and invites the Bretton Woods institutions, the World Trade Organization and other relevant international and regional organizations, within their respective mandates, to provide necessary support and actively contribute to the preparatory process and to the Conference itself;

12. *Requests* the Secretary-General to ensure, as appropriate, the full involvement of resident coordinators and country teams in preparations for the Conference, in particular in the country- and regional-level preparations;

13. *Also requests* the Secretary-General to ensure the active involvement of the organizations of the United Nations system in the preparatory process for the Conference in a coordinated and coherent manner, inter alia, by making use of the existing coordination mechanisms of the United Nations system;

14. *Further requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the further implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010 as well as on the implementation of the present resolution, including a report on the state of the substantive, organizational and logistic preparations for the Conference.

RESOLUTION 63/228

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/417/Add.2, para. 9)[241]

63/228. Groups of countries in special situations: specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation

The General Assembly,

Recalling its resolutions 58/201 of 23 December 2003, 60/208 of 22 December 2005, 61/212 of 20 December 2006 and 62/204 of 19 December 2007,

Recalling also the United Nations Millennium Declaration,[242] and the 2005 World Summit Outcome,[243]

Recognizing that the lack of territorial access to the sea, aggravated by remoteness from world markets, and prohibitive transit costs and risks continue to impose serious constraints on export earnings, private capital inflow and domestic resource mobilization of landlocked developing countries and therefore adversely affect their overall growth and socio-economic development,

Expressing support to those landlocked developing countries that are emerging from conflict, with a view to enabling them to rehabilitate and reconstruct, as appropriate, political, social and economic infrastructure and to assisting them in achieving their development priorities in accordance with the goals and targets of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,[244]

Recalling the New Partnership for Africa's Development,[245] an initiative for accelerating regional economic cooperation and development, as many landlocked and transit developing countries are located in Africa,

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[241] The draft resolution recommended in the report was submitted by the Rapporteur of the Committee.

[242] See resolution 55/2.

[243] See resolution 60/1.

[244] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[245] A/57/304, annex.

Reaffirming that the Almaty Programme of Action constitutes a fundamental framework for genuine partnerships between landlocked and transit developing countries and their development partners at the national, bilateral, subregional, regional and global levels,

Recalling its resolution 63/2 of 3 October 2008, by which it adopted the Declaration of the high-level meeting of the sixty-third session of the General Assembly on the midterm review of the Almaty Programme of Action,

1. *Takes note* of the report of the Secretary-General on the implementation of the Almaty Programme of Action;[246]

2. *Reaffirms* the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with the applicable rules of international law;

3. *Also reaffirms* that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests;

4. *Further reaffirms* its full commitment to the Declaration adopted by the Ministers and heads of delegations participating in the high-level plenary meeting of the General Assembly on the midterm review of the Almaty Programme of Action,[247] in which they recommitted themselves to urgently addressing the special development needs of and challenges faced by the landlocked developing countries through the full, timely and effective implementation of the Almaty Programme of Action;[244]

5. *Acknowledges* that landlocked and transit developing countries in Africa, Asia, Europe and Latin America have strengthened their policy and governance reform efforts and that donor countries, financial and development institutions and international and regional organizations have paid greater attention to the establishment of efficient transit systems; notes with concern, however, that the landlocked developing countries continue to be marginalized from international trade, thus preventing them from fully using trade as an instrument for achieving their development goals, including the Millennium Development Goals, and face challenges in their efforts to establish efficient transit transport systems; and therefore notes the importance of the ongoing World Trade Organization negotiations on trade facilitation, particularly on the relevant articles of the General Agreement on Tariffs and Trade that are important to landlocked developing countries, such as those referred to in the Declaration on the midterm review of the Almaty Programme of Action;

6. *Calls upon* landlocked and transit developing countries to take all appropriate measures, as set out in the Declaration, to speed up the implementation of the Almaty Programme of Action;

7. *Calls upon* donors and multilateral, regional, financial and development institutions to provide landlocked and transit developing countries with appropriate, substantial and better-coordinated technical and financial assistance, particularly in the form of grants or concessionary loans, for the implementation of the Almaty Programme of Action, in particular for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes, completion of missing links and improved communications, so as to promote subregional, regional and interregional projects and programmes;

8. *Calls upon* the development partners to effectively operationalize the Aid for Trade initiative so as to support trade facilitation measures and trade-related technical assistance, as well as the diversification of export products through the development of small and medium-sized enterprises and private sector involvement in landlocked developing countries;

9. *Encourages* the international community to enhance efforts to facilitate access to and encourage the transfer of technologies related to transit transport systems, including information and communications technology;

10. *Encourages* the further strengthening of South-South cooperation and triangular cooperation with the involvement of donors, as well as cooperation among subregional and regional organizations, in support of the efforts of landlocked and transit developing countries towards achieving the full and effective implementation of the Almaty Programme of Action;

11. *Calls upon* the relevant organizations of the United Nations system, the regional commissions, the United Nations Development Programme and the United Nations Conference on Trade and Development, and invites other international organizations, including the World Bank, the regional development banks, the World Customs Organization, the World Trade Organization, regional economic integration organizations, and other relevant regional and subregional organizations, to further integrate the Almaty Programme of Action into their relevant programmes of work, taking full account of the Declaration on the midterm review, and encourages them to continue, as appropriate, within their respective mandates, their support to the landlocked and transit developing countries, inter alia, through well-coordinated and coherent technical assistance programmes in transit transport and trade facilitation;

12. *Encourages* the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to continue to ensure coordinated follow-up to and effective monitoring and

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[246] A/63/165.

[247] See resolution 63/2.

reporting on the implementation of the Almaty Programme of Action, in line with General Assembly resolution 57/270 B of 23 June 2003, and to step up its advocacy efforts directed towards raising international awareness and mobilizing resources, as well as to further develop cooperation and coordination with organizations within the United Nations system in order to ensure the timely and effective implementation of the Almaty Programme of Action and the Declaration on the midterm review;

13. *Encourages* the Economic Commission for Africa, the Economic Commission for Europe, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific to continue their efforts to work with landlocked and transit developing countries to develop integrated regional transit transport systems, harmonize regulatory requirements and procedures for import/export and transit with international conventions and standards, promote intermodal transport corridors, encourage access to and more effective implementation of international conventions on transit transport, and assist in the establishment of national trade and transport facilitation coordination mechanisms and in improving the planning and development of the missing links in regional infrastructure networks, especially in Africa;

14. *Encourages* the United Nations Conference on Trade and Development to continue to strengthen its technical assistance activities and analytical work related to logistics and transit transport cooperation;

15. *Encourages* the United Nations Development Programme to enhance its provision of trade-related technical assistance and capacity-building programmes to landlocked developing countries;

16. *Invites* the World Trade Organization to continue to provide technical assistance to landlocked developing countries in order to enhance their negotiating capabilities;

17. *Invites* the World Bank to continue to give priority to requests for technical assistance to supplement national and regional efforts to promote the efficient use of existing transit facilities, including the application of information technologies and the simplification of procedures and documents;

18. *Invites* the World Customs Organization and other relevant international and regional organizations to continue to strengthen the provision of technical assistance and capacity-building programmes to landlocked and transit developing countries in the area of customs reform, simplification and harmonization of procedures, and enforcement and compliance;

19. *Encourages* donors and the international financial and development institutions, as well as private entities, to make voluntary contributions to the trust fund established by the Secretary-General to support the activities related to the follow-up to the implementation of the outcome of the Almaty International Ministerial Conference;[244]

20. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session an analytical report on the implementation of the Almaty Programme of Action and the Declaration on the midterm review;

21. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation".

RESOLUTION 63/229

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/418/Add.1, para. 17)[248]

63/229. Role of microcredit and microfinance in the eradication of poverty

The General Assembly,

Recalling its resolutions 52/193 and 52/194 of 18 December 1997, 53/197 of 15 December 1998, 58/221 of 23 December 2003, 59/246 of 22 December 2004 and 61/214 of 20 December 2006,

Recognizing the need for access to financial services, in particular for the poor, including access to microfinance and microcredit,

Recognizing also that microfinance, in particular microcredit programmes, has succeeded in generating productive self-employment and proved to be an effective tool in overcoming poverty and reducing the vulnerability of poor people to crisis and has led to their growing participation, in particular the participation of women, in the mainstream socio-economic and political processes of society, and bearing in mind that microfinance, in particular microcredit, has especially benefited women and has resulted in the achievement of their empowerment,

Recognizing further that the majority of the world's poor still do not have access to financial services and that microcredit and microfinance are the subject of significant demand worldwide,

Bearing in mind the importance of providing access to microfinance instruments and services, such as credit, savings, insurance, money transfers and other financial products and services, for poor people,

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[248] The draft resolution recommended in the report was submitted by the Rapporteur of the Committee.

Recognizing that inclusive financial sectors can offer appropriate financial services and products to poor people,

Noting with appreciation the efforts of the United Nations Advisers Group on Inclusive Financial Sectors to promote the building of inclusive financial sectors to meet the needs and demands of poor people, and noting also the recommendations containing key messages to build inclusive financial sectors put forward in June 2008,

Noting events organized for the promotion of inclusive financial sectors, including the convening of the Global Microcredit Summit in Halifax, Canada, from 12 to 15 November 2006,

Welcoming the efforts made in the field of property rights, and noting that an enabling environment at all levels, including transparent regulatory systems and competitive markets, fosters the mobilization of resources and access to finance for people living in poverty,

Noting with appreciation the contribution of awards and prizes to increasing the visibility and awareness of the role of microfinance, including microcredit, in the eradication of poverty, most notably the awarding of the 2006 Nobel Peace Prize,

1. *Takes note* of the report of the Secretary-General;[249]

2. *Welcomes* the successful observance of the International Year of Microcredit, 2005, which constituted a special occasion to raise awareness and share best practices and lessons learned on microcredit and microfinance;

3. *Recognizes* that access to microfinance and microcredit can contribute to the achievement of the goals and targets of major United Nations conferences and summits in the economic and social fields, including those contained in the United Nations Millennium Declaration,[250] in particular the goals relating to poverty eradication, gender equality and the empowerment of women;

4. *Underlines* the need for greater access to microfinance, including microcredit, in developing countries, in particular for small farmers, which can contribute to increased agricultural productivity and rural development;

5. *Also underlines* the importance of strengthening domestic financial sectors as a source of capital by making them inclusive, thus expanding access to financial services;

6. *Recognizes* that microfinance has experienced tremendous growth in the number of people served and the diversity of financial services offered, and that, along with the growth in numbers served as well as products and services offered, there has also been a large increase in the number of public and private microfinance providers, all of which share the common characteristic of providing financial services to poor and socio-economically vulnerable people, as well as micro-entrepreneurs who would not normally be served, or are underserved, by traditional financial institutions;

7. *Notes* that, despite progress, there is still lack of relevant statistical data on inclusive financial sectors, in particular microcredit and microfinance programmes, in particular at the national and regional levels, and in this regard invites the international community, in particular the donor community, to support developing countries in collecting and preserving necessary statistical data and information on this issue, specifically on defining and measuring access to financial services and products at the country level and measuring the type, quality and usage of such services and products over time;

8. *Calls upon* Member States, the United Nations system and other relevant stakeholders to fully maximize the role of microfinance instruments, including microcredit for poverty eradication and especially for the empowerment of women and rural populations, and to ensure that best practices in the microfinance sector are widely disseminated;

9. *Invites* Member States, the United Nations system, the Bretton Woods institutions, regional development banks and other relevant stakeholders to support, financially and technically, in a coordinated manner, the efforts of developing countries in capacity-building for microcredit and microfinance institutions to expand their products and services, including by improving their policy and regulatory framework;

10. *Invites* Member States to consider adopting policies to facilitate the expansion of microcredit and microfinance institutions in order to service the large unmet demand among poor people for financial services, including the identification and development of mechanisms to promote access to sustainable financial services, the removal of institutional and regulatory obstacles, the promotion of financial literacy and the provision of incentives to microfinance institutions that meet national standards for delivering sound financial services to the poor;

11. *Encourages* Member States to adopt coherent financial regulatory frameworks, including in consultation with microfinance providers, that can effectively protect the stability of their national financial systems and increase access of the poor and microenterprises and small enterprises to financial services, and also to protect consumers, in particular the poor, and in this regard invites the development partners to support the efforts of developing countries in the promotion of entrepreneurship development programmes, including for microenterprises and small and medium-sized enterprises;

12. *Recognizes* that the current financial crisis can adversely impact financial flows to microcredit and microfinance institutions as well as the services that they provide to the poor, and emphasizes that such instruments should be protected, as appropriate, from potential credit deficiency;

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[249] A/63/159.

[250] See resolution 55/2.

13. *Decides* to devote one plenary meeting at its sixty-fifth session to the consideration of the outcome of and follow-up to the International Year of Microcredit, with a view to broadening and deepening the discussion about microcredit and microfinance and inclusive financial sectors;

14. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution, under the item entitled "Eradication of poverty and other development issues".

RESOLUTION 63/230

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/418/Add.1, para. 17)[251]

63/230. Second United Nations Decade for the Eradication of Poverty (2008–2017)

The General Assembly,

Recalling its resolutions 47/196 of 22 December 1992, 48/183 of 21 December 1993, 50/107 of 20 December 1995, 56/207 of 21 December 2001, 57/265 and 57/266 of 20 December 2002, 58/222 of 23 December 2003, 59/247 of 22 December 2004, 60/209 of 22 December 2005, 61/213 of 20 December 2006 and 62/205 of 19 December 2007,

Recalling also the United Nations Millennium Declaration, adopted by Heads of State and Government on the occasion of the Millennium Summit,[252] as well as the international commitment to eradicate extreme poverty and to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Recalling further the 2005 World Summit Outcome,[253]

Recalling its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals,

Recalling also its resolution 61/16 of 20 November 2006 on the strengthening of the Economic and Social Council,

Welcoming the poverty-related discussions in the annual ministerial reviews held by the Economic and Social Council, which play an important supporting role in the implementation of the Second United Nations Decade for the Eradication of Poverty (2008–2017),

Recalling the outcomes of the World Summit for Social Development[254] and the twenty-fourth special session of the General Assembly,[255]

Expressing concern that, after the First United Nations Decade for the Eradication of Poverty (1997–2006) and midway to the 2015 Millennium Development Goals target date, while there has been progress in reducing poverty in some regions, this progress has been uneven and the number of people living in poverty in some countries continues to increase, with women and children constituting the majority of the most affected groups, especially in the least developed countries and particularly in sub-Saharan Africa,

Recognizing that rates of economic growth vary between countries and that these differences must be addressed by, among other actions, promoting pro-poor growth and social protection,

Concerned by the global nature of poverty and inequality, and underlining that the eradication of poverty and hunger is an ethical, social, political and economic imperative of humankind,

Reaffirming that eradicating poverty is one of the greatest global challenges facing the world today, particularly in Africa and in least developed countries, and underlining the importance of accelerating sustainable broad-based and inclusive economic growth, including full, productive employment-generation and decent work,

Expressing concern that the number of people living in poverty is higher than previously estimated,[256] despite significant progress, and that the current financial and food insecurity crises and unpredictable energy prices may pose significant challenges for the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Recognizing that mobilizing financial resources for development at the national and international levels and the effective use of those resources are central to a global partnership for development in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Recognizing also the contributions of South-South and triangular cooperation to the efforts of developing countries to eradicate poverty and to pursue sustainable development,

Acknowledging that good governance at national and international levels and sustained and inclusive economic growth, supported by full employment and decent work, rising productivity, and a favourable environment, including public and private investment and entrepreneurship, are necessary to eradicate poverty, achieve the internationally agreed development goals, including the Millennium Development Goals, and realize a rise in living standards, and that corporate social responsibility initiatives play an important role in maximizing the impact of public and private investment,

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[251] The draft resolution recommended in the report was submitted by the Rapporteur of the Committee.

[252] See resolution 55/2.

[253] See resolution 60/1.

[254] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[255] Resolution S-24/2, annex.

[256] World Bank estimates, as at August 2008, calculated using a revised poverty line.

Underlining the priority and urgency given by the Heads of State and Government to the eradication of poverty, as expressed in the outcomes of the major United Nations conferences and summits in the economic and social fields,

1. *Takes note* of the report of the Secretary-General on the implementation of the Second United Nations Decade for the Eradication of Poverty (2008–2017);[257]

2. *Reaffirms* that the objective of the Second United Nations Decade is to support, in an efficient and coordinated manner, the follow-up to the implementation of the internationally agreed development goals, including the Millennium Development Goals, related to the eradication of poverty and to coordinate international support to that end;

3. *Also reaffirms* that each country must take primary responsibility for its own development and that the role of national policies and strategies cannot be overemphasized in the achievement of sustainable development and poverty eradication, and recognizes that increased effective national efforts should be complemented by concrete, effective and supportive international programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty;

4. *Emphasizes* the need to accord the highest priority to poverty eradication within the United Nations development agenda, while stressing the importance of addressing the causes and challenges of poverty through integrated, coordinated and coherent strategies at the national, intergovernmental and inter-agency levels;

5. *Reiterates* the need to strengthen the leadership role of the United Nations in promoting international cooperation for development, critical for the eradication of poverty;

6. *Stresses* the importance of ensuring, at the national, intergovernmental and inter-agency levels, coherent, comprehensive and integrated activities for the eradication of poverty in accordance with the outcomes of the major United Nations conferences and summits in the economic, social and related fields;

7. *Emphasizes* that education and training are among the critical factors in empowering those living in poverty, while recognizing the complexity of the challenge of poverty eradication;

8. *Calls upon* the international community to continue to give priority to the eradication of poverty and on donor countries in a position to do so to support the effective national efforts of developing countries in this regard, through adequate predictable financial resources on either a bilateral or a multilateral basis;

9. *Acknowledges* efforts of developed countries to increase their assistance for development, including commitments by some developed countries to increase official development assistance; notes with concern, however, the overall decline in official development assistance in 2006 and 2007, and calls for the fulfilment of all official development assistance-related commitments, including the commitments made by many developed countries to achieve the target of 0.7 per cent of gross national product for official development assistance by 2015 and to reach the target of at least 0.5 per cent of gross national product for official development assistance by 2010, as well as to achieve the target of 0.15 to 0.20 per cent of gross national product for official development assistance to least developed countries; and urges those developed countries that have not yet done so to make concrete efforts in this regard in accordance with their commitments;

10. *Welcomes* recent efforts and initiatives to enhance the quality of aid and to increase its impact, including the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action,[258] and the resolve to take concrete, effective and timely action in implementing all agreed commitments on aid effectiveness, with clear monitoring and deadlines, including through further aligning assistance with countries' strategies, building institutional capacities, reducing transaction costs and eliminating bureaucratic procedures, making progress on untying aid, enhancing the absorptive capacity and financial management of recipient countries and strengthening the focus on development results;

11. *Recognizes* that sustained and inclusive economic growth is essential for eradicating poverty and hunger, in particular in developing countries, and stresses that national efforts in this regard should be complemented by an enabling international environment;

12. *Also recognizes* that, for developing countries to reach the targets set in the context of national development strategies for the achievement of the internationally agreed development goals, including the Millennium Development Goals, in particular the goal on the eradication of extreme poverty, and for such poverty eradication strategies to be effective, it is imperative that developing countries increase their

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[257] A/63/190.

[258] A/63/539, annex.

efforts to be integrated into the world economy in order to share the benefits of globalization;

13. *Requests* the Secretary-General to appoint a focal point from within the United Nations system to coordinate the implementation of the Second United Nations Decade in close consultation with Member States;

14. *Considers* that a theme for the Second United Nations Decade, to be reviewed at the sixty-fifth session of the General Assembly, shall be "Full employment and decent work for all", and requests the Secretary-General to submit to the Assembly at that session a report that details the current response of the United Nations system to the theme;

15. *Recognizes* the need to give the highest priority to its consideration of the item on poverty eradication in its agenda, and in that regard, as a contribution to the Second United Nations Decade, decides to convene, during its sixty-eighth session, a meeting of the General Assembly at the highest appropriate political level centred on the review process devoted to the theme for the issue of poverty eradication, and stresses that the meeting and the preparatory activities should be carried out within the budget level proposed by the Secretary-General for the biennium 2012–2013 and should be organized in the most effective and efficient manner;

16. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Implementation of the Second United Nations Decade for the Eradication of Poverty (2008–2017)", and requests the Secretary-General to brief Member States orally on progress in the implementation of efforts related to the theme for the Second Decade.

RESOLUTION 63/231

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/418/Add.2, para. 7)[259]

63/231. Industrial development cooperation

The General Assembly,

Recalling its resolutions 46/151 of 18 December 1991, 49/108 of 19 December 1994, 51/170 of 16 December 1996, 53/177 of 15 December 1998, 55/187 of 20 December 2000, 57/243 of 20 December 2002, 59/249 of 22 December 2004 and 61/215 of 20 December 2006 on industrial development cooperation,

Recalling also the United Nations Millennium Declaration,[260] the Monterrey Consensus of the International Conference on Financing for Development[261] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[262]

Recalling further the 2005 World Summit Outcome[263] and resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals,

Recognizing that industrialization is an essential driver of sustained economic growth, sustainable development and poverty eradication in developing countries and countries with economies in transition, including through the creation of productive employment, income generation and the facilitation of social integration, including the integration of women into the development process,

Stressing the importance of international cooperation to promote equitable and sustainable patterns of industrial development,

Recognizing the role of the business community, including the private sector, in enhancing the dynamic process of the development of the industrial sector, underlining the importance of the benefits of foreign direct investment in that process, and recognizing also, in this regard, that an enabling domestic environment is vital for mobilizing domestic resources, increasing productivity, reducing capital flight, encouraging the private sector and attracting and making effective use of international investment and assistance and that efforts to create such an environment should be supported by the international community,

Recognizing also the importance of the transfer of technology on mutually agreed terms to the developing countries as well as countries with economies in transition as an effective means of international cooperation in the pursuit of poverty eradication and sustainable development,

Noting that the United Nations Industrial Development Organization was awarded the Africa Investor Award for 2007 in the category "best initiative in support of small and medium-sized enterprise development",

Taking note of the important role played by the United Nations Industrial Development Organization in the development of the public and private sectors, productivity growth, trade capacity-building, corporate social responsibility, environmental protection, energy efficiency and the promotion of renewable energies,

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[259] The draft resolution recommended in the report was submitted by the Rapporteur of the Committee.

[260] See resolution 55/2.

[261] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[262] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[263] See resolution 60/1.

1. *Takes note* of the note by the Secretary-General transmitting the report of the Director-General of the United Nations Industrial Development Organization;[264]

2. *Reaffirms* that each country must take primary responsibility for its own industrial development and that national efforts should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries;

3. *Also reaffirms* the essential contribution of industrial development to sustained economic growth and social development and the achievement of the internationally agreed development goals, including the Millennium Development Goals;

4. *Emphasizes* the importance of the creation of wealth for poverty reduction and for pro-poor growth, especially with regard to women, through the development and strengthening of productive capacities in developing countries and countries with economies in transition, including through the development of the public and private sectors and entrepreneurship and through small and medium-sized enterprises, enterprise upgrading, training, education and skills enhancement and an enabling environment for the transfer of technology on mutually agreed terms, the flow of investments and participation in global supply chains;

5. *Underlines* the necessity of favourable national and international measures for industrialization in developing countries and countries with economies in transition, and urges all Governments to develop and implement policies that will lead to the development of a dynamic industrial sector through, inter alia, public- and private-sector development, the diffusion of environmentally sound and emerging technologies, investment promotion and enhanced access to markets;

6. *Calls for* the continuing use of official development assistance for sustainable industrial development, the achievement of greater efficiency and effectiveness of official development assistance resources and industrial development cooperation between developing countries and with countries with economies in transition;

7. *Underlines* the importance of mobilizing resources for sustainable industrial development at the country level;

8. *Calls for* the continuing use of all other resources, including private and public, foreign and domestic resources, for industrial development in the developing countries as well as countries with economies in transition;

9. *Recognizes* the key role of the United Nations Industrial Development Organization in promoting sustainable industrial development and in industrial development cooperation, and welcomes its increased programmatic focus on three thematic priorities, namely, poverty reduction through productive activities, trade capacity-building and environment and energy;

10. *Calls upon* the United Nations Industrial Development Organization to take appropriate actions for the full implementation of General Assembly resolution 62/208 of 19 December 2007;

11. *Recognizes* that the current food crisis represents a serious and complex challenge affecting the world's poor, and looks forward to discussions and a report on how the United Nations Industrial Development Organization might best contribute to a system-wide solution to the crisis;

12. *Stresses* the importance of the development of agro-industries and the reduction of post-harvest losses, including through the introduction of improved technologies and the increased processing of agricultural products in developing countries and countries with economies in transition, and encourages the parties in the ongoing discussions being held in Vienna to consider how the United Nations Industrial Development Organization could best contribute to those objectives, including discussions aimed at helping to achieve global food security;

13. *Notes* the emphasis placed by the United Nations Industrial Development Organization on assisting developing countries and countries with economies in transition to strengthen their capacity to engage in international trade through small and medium-sized enterprise development and by helping them to meet international product and process standards;

14. *Welcomes* the increased cooperation of the United Nations Industrial Development Organization with the United Nations Conference on Trade and Development, the International Trade Centre UNCTAD/WTO, the World Trade Organization, the United Nations Development Programme, the United Nations Environment Programme, the World Health Organization, the Food and Agriculture Organization of the United Nations and the regional commissions, and invites the United Nations Industrial Development Organization to continue to build and strengthen its partnership with other United Nations organizations having complementary mandates and activities with a view to achieving greater effectiveness and development impact and promoting increased coherence within the United Nations system;

15. *Encourages* the United Nations Industrial Development Organization to continue to promote environmentally sound and sustainable production through, inter alia, its programmes on cleaner production, industrial water management and industrial energy efficiency and the

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[264] A/63/309.

utilization of renewable energy for productive uses, especially in rural areas;

16. *Takes note* of the increased emphasis given by the United Nations Industrial Development Organization to South-South cooperation, including triangular cooperation, and encourages it to pay particular attention to promoting industrial cooperation among developing countries, including through its centres for South-South industrial cooperation and through the promotion of various forms of public/private-sector partnerships and the exchange of experiences in public- and private-sector development, including at the regional, subregional and country levels, with regard to industrial development;

17. *Welcomes* the support of the United Nations Industrial Development Organization for the New Partnership for Africa's Development[265] and other programmes of the African Union, including the Pharmaceutical Manufacturing Plan for Africa, aimed at further strengthening the industrialization process in Africa, inter alia, through its role as the convener of the industry, trade and market access cluster of the regional consultation meetings led by the Economic Commission for Africa;

18. *Recognizes* the importance of industrial development in post-conflict countries, particularly through employment-generating activities and energy supply, and encourages the United Nations Industrial Development Organization to assist in these efforts within its mandate, including, where applicable, by providing assistance in the implementation of the integrated peacebuilding strategies of the Peacebuilding Commission;

19. *Encourages* the United Nations Industrial Development Organization to develop further its global forum capacity according to its mandate, with the aim of enhancing, in the context of the globalization process, a common understanding of global and regional industrial sector issues and their impact on poverty eradication and sustainable development;

20. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution.

RESOLUTION 63/232

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/419, para. 17)[266]

63/232. Operational activities for development

The General Assembly,

Recalling its resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review of operational activities for development of the United Nations system,

Reaffirming the importance of the triennial comprehensive policy review of operational activities for development, through which the General Assembly establishes key system-wide policy orientations for the development cooperation and country-level modalities of the United Nations system,

1. *Takes note* of the reports of the Secretary-General[267] and of the note by the Secretary-General transmitting the report on the activities of the United Nations Development Fund for Women;[268]

2. *Also takes note* of Economic and Social Council resolution 2008/2 of 18 July 2008 on the progress in the implementation of General Assembly resolution 62/208 on the triennial comprehensive policy review of operational activities for development of the United Nations system;

Funding of operational activities of the United Nations development system

3. *Reiterates* paragraphs 18 to 20 of Economic and Social Council resolution 2008/2, on the comprehensive statistical analysis of the financing of operational activities for development of the United Nations system;[269]

4. *Requests* the United Nations Development Programme and the Department of Economic and Social Affairs of the Secretariat, making use of existing capacities within the Secretariat and, if necessary, voluntary contributions, to take the necessary steps to integrate by 2010 information from the report on United Nations system technical cooperation expenditures and its statistical addendum into the report on the comprehensive statistical analysis of the financing of operational activities for development of the United Nations system, to provide appropriate online access to this information and to report to the Economic and Social Council in 2009 on progress in this regard, and encourages the Executive Board of the United Nations Development Programme/United Nations

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[265] A/57/304, annex.

[266] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[267] Reports of the Secretary-General on the comprehensive statistical analysis of the financing of operational activities for development of the United Nations system for 2006 (A/63/71-E/2008/46); on the trends in contributions to operational activities for development of the United Nations system and measures to promote an adequate, predictable and expanding base of United Nations development assistance (A/63/201); and on the implications of aligning the strategic planning cycles of the United Nations funds and programmes with the comprehensive policy review of operational activities for development (A/63/207).

[268] A/63/205.

[269] See also A/63/71-E/2008/46.

Population Fund to take the necessary decision to make this possible;

5. *Expresses concern* at:

(*a*) The fact that the upward trend in contributions in real terms received by the United Nations system for operational activities since 2002 came to a halt in 2006;[270]

(*b*) The continuing imbalance between core and non-core funding;

(*c*) The limited progress towards greater predictability and adequacy of funding;

6. *Emphasizes* that increasing financial contributions to the United Nations development system is key to achieving the internationally agreed development goals, including the Millennium Development Goals, and in this regard recognizes the mutually reinforcing links between increased effectiveness, efficiency and coherence of the United Nations development system, achieving concrete results in assisting developing countries in eradicating poverty and achieving sustained economic growth and sustainable development through operational activities for development and the overall resourcing of the United Nations development system;

7. *Stresses* that core resources, because of their untied nature, continue to be the bedrock of the operational activities for development of the United Nations system;

8. *Urges* donor countries and other countries in a position to do so to substantially increase their voluntary contributions to the core/regular budgets of the United Nations development system, in particular its funds, programmes and specialized agencies, and to contribute on a multi-year basis, in a sustained and predictable manner;

9. *Invites* countries to consider increasing their contributions to the budgets of the specialized agencies in order to enable the United Nations development system to respond in a more comprehensive and effective manner to the demands of the United Nations development agenda;

10. *Emphasizes* the importance of taking measures to broaden the donor base and increase the number of donor countries and other partners making financial contributions to the United Nations development system in order to reduce reliance of the United Nations development system on a limited number of donors;

11. *Welcomes* the growth in funding provided to the United Nations system from non-governmental sources, such as civil society, private organizations and foundations;

12. *Notes* that non-core resources represent an important supplement to the regular resource base of the United Nations development system to support operational activities for development, thus contributing to an increase in total resources, while recognizing that non-core resources are not a substitute for core resources and that unearmarked contributions are vital for the coherence and harmonization of the operational activities for development;

13. *Underscores* the importance of mobilizing more predictable levels of voluntary contributions to the core operational programmes of the United Nations development system, recognizes the establishment of thematic trust funds, multi-donor trust funds and other voluntary non-earmarked funding mechanisms linked to organization-specific funding frameworks and strategies established by the respective governing bodies as funding modalities complementary to regular budgets, and encourages the measurement of the funding received by the United Nations development system through these modalities as part of the comprehensive statistical analysis of financing of operational activities for development of the United Nations system;

14. *Recognizes* the increasing complexity of the international aid architecture, and in this regard encourages the organizations of the United Nations development system to continue to explore ways to engage with other development partners in order to strengthen their complementarity and the implementation of their mandates, taking into account the importance of national priorities of programme countries, and requests the Secretary-General, in consultation with the United Nations development system, to report on efforts in this regard in the context of his annual report on the implementation of resolution 62/208;

15. *Encourages* the organizations of the United Nations system, if they have not done so, to mobilize and allocate resources, on the basis of a strategic plan, including a multi-year resource programming framework;

16. *Reiterates its request* to the Secretary-General to take, in full consultation with Member States and observer States, measures:

(*a*) To promote an adequate and expanding base of development assistance from the United Nations system, taking into account, inter alia, the development priorities of programme countries;

(*b*) To promote an upward trend in real contributions to operational activities for development, to identify obstacles to the achievement of that goal, and to make appropriate recommendations in this regard;

(*c*) To promote the predictability and the multi-year pledging of funding for operational activities for development;

(*d*) To promote an appropriate balance between core and non-core contributions;

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[270] See A/63/201.

17. *Requests* the Secretary-General to report, in the context of his annual report on the implementation of resolution 62/208, on measures taken in response to paragraph 16 above, bearing in mind the provisions of the present resolution, and including feedback from Member States on ways to achieve the aims contained therein;

Aligning the strategic planning cycles of the United Nations funds and programmes with the comprehensive policy review of operational activities for development of the United Nations system

18. *Decides* to change the comprehensive policy review of operational activities from a triennial to a quadrennial cycle in order to better provide policy guidance to the United Nations funds and programmes and the specialized agencies;

19. *Also decides* in this regard to hold its next comprehensive policy review in 2012 and subsequent reviews on a quadrennial basis;

20. *Urges* the funds and programmes and encourages the specialized agencies to carry out any changes required to align their planning cycles with the quadrennial comprehensive policy review, including the implementation of midterm reviews as necessary, and to report to the Economic and Social Council on adjustments made to fit the new comprehensive review cycle at the substantive session of the Council.

RESOLUTION 63/233

Adopted at the 72nd plenary meeting, on 19 December 2008, without a vote, on the recommendation of the Committee (A/63/419, para. 17)[271]

63/233. High-level United Nations Conference on South-South Cooperation

The General Assembly,

Reaffirming its resolution 33/134 of 19 December 1978, in which it endorsed the Buenos Aires Plan of Action for Promoting and Implementing Technical Cooperation among Developing Countries,[272]

Recalling the 2005 World Summit Outcome,[273]

Recalling also its resolution 62/209 of 19 December 2007, in which it decided to convene a High-level United Nations Conference on South-South Cooperation,

Taking note with appreciation of the report of the President of the High-level Committee on South-South Cooperation submitted pursuant to its resolution 62/209,[274]

Taking note of the draft fourth cooperation framework for South-South cooperation (2009–2011)[275] and the recommendations contained therein,

Reaffirming its previous relevant resolutions pertaining to South-South cooperation,

Requests that the President of the General Assembly entrust the President of the High-level Committee on South-South Cooperation with undertaking, while making use of the existing coordination mechanisms of the United Nations system, the necessary consultations with Member States in order to prepare for the proposed High-level United Nations Conference on South-South Cooperation, with a view to the Assembly taking a decision, during its sixty-third session, on the nature, date, budgetary implications, objectives and modalities of the Conference.

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[271] The draft resolution recommended in the report was submitted by the Vice-Chairman of the Committee.

[272] *Report of the United Nations Conference on Technical Cooperation among Developing Countries, Buenos Aires, 30 August–12 September 1978* (United Nations publication, Sales No. E.78.II.A.11 and corrigendum), chap. I.

[273] See resolution 60/1.

[274] A/C.2/63/7, attachment III.

[275] DP/CF/SSC/4/Rev.1.

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RESOLUTION 63/117

Adopted at the 66th plenary meeting, on 10 December 2008, without a vote, on the recommendation of the Committee (A/63/435, para. 11)[1]

63/117. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

The General Assembly,

Taking note of the adoption by the Human Rights Council, by its resolution 8/2 of 18 June 2008,[2] of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights,

1. *Adopts* the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the text of which is annexed to the present resolution;

2. *Recommends* that the Optional Protocol be opened for signature at a signing ceremony to be held in 2009, and requests the Secretary-General and the United Nations High Commissioner for Human Rights to provide the necessary assistance.

Annex

Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

Preamble

The States Parties to the present Protocol,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Noting that the Universal Declaration of Human Rights[3] proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that the Universal Declaration of Human Rights and the International Covenants on Human Rights[4] recognize that the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy civil, cultural, economic, political and social rights,

Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms,

Recalling that each State Party to the International Covenant on Economic, Social and Cultural Rights[4] (hereinafter referred to as "the Covenant") undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant by all appropriate means, including particularly the adoption of legislative measures,

Considering that, in order further to achieve the purposes of the Covenant and the implementation of its provisions, it would be appropriate to enable the Committee on Economic, Social and Cultural Rights (hereinafter referred to as "the Committee") to carry out the functions provided for in the present Protocol,

Have agreed as follows:

Article 1
Competence of the Committee to receive and consider communications

1. A State Party to the Covenant that becomes a Party to the present Protocol recognizes the competence of the Committee to receive and consider communications as provided for by the provisions of the present Protocol.

2. No communication shall be received by the Committee if it concerns a State Party to the Covenant which is not a Party to the present Protocol.

Article 2
Communications

Communications may be submitted by or on behalf of individuals or groups of individuals, under the jurisdiction of a State Party, claiming to be victims of a violation of any of the economic, social and cultural rights set forth in the Covenant by that State Party. Where a communication is submitted on behalf of individuals or groups of individuals, this shall be with their consent unless the author can justify acting on their behalf without such consent.

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[1] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Angola, Armenia, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, Germany, Guatemala, Guinea-Bissau, Honduras, Hungary, Indonesia, Italy, Mexico, Mongolia, Montenegro, Morocco, Nicaragua, Panama, Peru, Portugal, Sao Tome and Principe, Senegal, Serbia, Slovakia, Slovenia, Spain, , the former Yugoslav Republic of Macedonia, Timor-Leste, Uganda, Ukraine, Uruguay and Venezuela (Bolivarian Republic of).

[2] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. III, sect. A.

[3] Resolution 217 A (III).

[4] Resolution 2200 A (XXI), annex.

Article 3
Admissibility

1. The Committee shall not consider a communication unless it has ascertained that all available domestic remedies have been exhausted. This shall not be the rule where the application of such remedies is unreasonably prolonged.

2. The Committee shall declare a communication inadmissible when:

(*a*) It is not submitted within one year after the exhaustion of domestic remedies, except in cases where the author can demonstrate that it had not been possible to submit the communication within that time limit;

(*b*) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date;

(*c*) The same matter has already been examined by the Committee or has been or is being examined under another procedure of international investigation or settlement;

(*d*) It is incompatible with the provisions of the Covenant;

(*e*) It is manifestly ill-founded, not sufficiently substantiated or exclusively based on reports disseminated by mass media;

(*f*) It is an abuse of the right to submit a communication; or when

(*g*) It is anonymous or not in writing.

Article 4
Communications not revealing a clear disadvantage

The Committee may, if necessary, decline to consider a communication where it does not reveal that the author has suffered a clear disadvantage, unless the Committee considers that the communication raises a serious issue of general importance.

Article 5
Interim measures

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party take such interim measures as may be necessary in exceptional circumstances to avoid possible irreparable damage to the victim or victims of the alleged violations.

2. Where the Committee exercises its discretion under paragraph 1 of the present article, this does not imply a determination on admissibility or on the merits of the communication.

Article 6
Transmission of the communication

1. Unless the Committee considers a communication inadmissible without reference to the State Party concerned, the Committee shall bring any communication submitted to it under the present Protocol confidentially to the attention of the State Party concerned.

2. Within six months, the receiving State Party shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been provided by that State Party.

Article 7
Friendly settlement

1. The Committee shall make available its good offices to the parties concerned with a view to reaching a friendly settlement of the matter on the basis of the respect for the obligations set forth in the Covenant.

2. An agreement on a friendly settlement closes consideration of the communication under the present Protocol.

Article 8
Examination of communications

1. The Committee shall examine communications received under article 2 of the present Protocol in the light of all documentation submitted to it, provided that this documentation is transmitted to the parties concerned.

2. The Committee shall hold closed meetings when examining communications under the present Protocol.

3. When examining a communication under the present Protocol, the Committee may consult, as appropriate, relevant documentation emanating from other United Nations bodies, specialized agencies, funds, programmes and mechanisms, and other international organizations, including from regional human rights systems, and any observations or comments by the State Party concerned.

4. When examining communications under the present Protocol, the Committee shall consider the reasonableness of the steps taken by the State Party in accordance with part II of the Covenant. In doing so, the Committee shall bear in mind that the State Party may adopt a range of possible policy measures for the implementation of the rights set forth in the Covenant.

Article 9
Follow-up to the views of the Committee

1. After examining a communication, the Committee shall transmit its views on the communication, together with its recommendations, if any, to the parties concerned.

2. The State Party shall give due consideration to the views of the Committee, together with its recommendations, if any, and shall submit to the Committee, within six months, a written response, including information on any action taken in the light of the views and recommendations of the Committee.

3. The Committee may invite the State Party to submit further information about any measures the State Party has taken in response to its views or recommendations, if any, including as deemed appropriate by the Committee, in the State Party's subsequent reports under articles 16 and 17 of the Covenant.

Article 10
Inter-State communications

1. A State Party to the present Protocol may at any time declare under the present article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant. Communications under the present article may be received and considered only if submitted by a State Party that has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration. Communications received under the present article shall be dealt with in accordance with the following procedure:

(*a*) If a State Party to the present Protocol considers that another State Party is not fulfilling its obligations under the Covenant, it may, by written communication, bring the matter to the attention of that State Party. The State Party may also inform the Committee of the matter. Within three months after the receipt of the communication, the receiving State shall afford the State that sent the communication an explanation, or any other statement in writing clarifying the matter, which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending or available in the matter;

(*b*) If the matter is not settled to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State;

(*c*) The Committee shall deal with a matter referred to it only after it has ascertained that all available domestic remedies have been invoked and exhausted in the matter. This shall not be the rule where the application of the remedies is unreasonably prolonged;

(*d*) Subject to the provisions of subparagraph (*c*) of the present paragraph, the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of the respect for the obligations set forth in the Covenant;

(*e*) The Committee shall hold closed meetings when examining communications under the present article;

(*f*) In any matter referred to it in accordance with subparagraph (*b*) of the present paragraph, the Committee may call upon the States Parties concerned, referred to in subparagraph (*b*), to supply any relevant information;

(*g*) The States Parties concerned, referred to in subparagraph (*b*) of the present paragraph, shall have the right to be represented when the matter is being considered by the Committee and to make submissions orally and/or in writing;

(*h*) The Committee shall, with all due expediency after the date of receipt of notice under subparagraph (*b*) of the present paragraph, submit a report, as follows:

(i) If a solution within the terms of subparagraph (*d*) of the present paragraph is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;

(ii) If a solution within the terms of subparagraph (*d*) is not reached, the Committee shall, in its report, set forth the relevant facts concerning the issue between the States Parties concerned. The written submissions and record of the oral submissions made by the States Parties concerned shall be attached to the report. The Committee may also communicate only to the States Parties concerned any views that it may consider relevant to the issue between them.

In every matter, the report shall be communicated to the States Parties concerned.

2. A declaration under paragraph 1 of the present article shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter that is the subject of a communication already transmitted under the present article; no further communication by any State Party shall be received under the present article after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party concerned has made a new declaration.

Article 11
Inquiry procedure

1. A State Party to the present Protocol may at any time declare that it recognizes the competence of the Committee provided for under the present article.

2. If the Committee receives reliable information indicating grave or systematic violations by a State Party of any of the economic, social and cultural rights set forth in the Covenant, the Committee shall invite that State Party to cooperate in the examination of the information and to this end to submit observations with regard to the information concerned.

3. Taking into account any observations that may have been submitted by the State Party concerned as well as any other reliable information available to it, the Committee may designate one or more of its members to conduct an inquiry and to report urgently to the Committee. Where warranted and with the consent of the State Party, the inquiry may include a visit to its territory.

4. Such an inquiry shall be conducted confidentially and the cooperation of the State Party shall be sought at all stages of the proceedings.

5. After examining the findings of such an inquiry, the Committee shall transmit these findings to the State Party concerned together with any comments and recommendations.

6. The State Party concerned shall, within six months of receiving the findings, comments and recommendations transmitted by the Committee, submit its observations to the Committee.

7. After such proceedings have been completed with regard to an inquiry made in accordance with paragraph 2 of the present article, the Committee may, after consultations with the State Party concerned, decide to include a summary account of the results of the proceedings in its annual report provided for in article 15 of the present Protocol.

8. Any State Party having made a declaration in accordance with paragraph 1 of the present article may, at any time, withdraw this declaration by notification to the Secretary-General.

Article 12
Follow-up to the inquiry procedure

1. The Committee may invite the State Party concerned to include in its report under articles 16 and 17 of the Covenant details of any measures taken in response to an inquiry conducted under article 11 of the present Protocol.

2. The Committee may, if necessary, after the end of the period of six months referred to in article 11, paragraph 6, invite the State Party concerned to inform it of the measures taken in response to such an inquiry.

Article 13
Protection measures

A State Party shall take all appropriate measures to ensure that individuals under its jurisdiction are not subjected to any form of ill-treatment or intimidation as a consequence of communicating with the Committee pursuant to the present Protocol.

Article 14
International assistance and cooperation

1. The Committee shall transmit, as it may consider appropriate, and with the consent of the State Party concerned, to United Nations specialized agencies, funds and programmes and other competent bodies, its views or recommendations concerning communications and inquiries that indicate a need for technical advice or assistance, along with the State Party's observations and suggestions, if any, on these views or recommendations.

2. The Committee may also bring to the attention of such bodies, with the consent of the State Party concerned, any matter arising out of communications considered under the present Protocol which may assist them in deciding, each within its field of competence, on the advisability of international measures likely to contribute to assisting States Parties in achieving progress in implementation of the rights recognized in the Covenant.

3. A trust fund shall be established in accordance with the relevant procedures of the General Assembly, to be administered in accordance with the Financial Regulations and Rules of the United Nations, with a view to providing expert and technical assistance to States Parties, with the consent of the State Party concerned, for the enhanced implementation of the rights contained in the Covenant, thus contributing to building national capacities in the area of economic, social and cultural rights in the context of the present Protocol.

4. The provisions of the present article are without prejudice to the obligations of each State Party to fulfil its obligations under the Covenant.

Article 15
Annual report

The Committee shall include in its annual report a summary of its activities under the present Protocol.

Article 16
Dissemination and information

Each State Party undertakes to make widely known and to disseminate the Covenant and the present Protocol and to facilitate access to information about the views and recommendations of the Committee, in particular, on matters involving that State Party, and to do so in accessible formats for persons with disabilities.

Article 17
Signature, ratification and accession

1. The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant.

2. The present Protocol is subject to ratification by any State that has ratified or acceded to the Covenant. Instruments of

ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Protocol shall be open to accession by any State that has ratified or acceded to the Covenant.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 18
Entry into force

1. The present Protocol shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or accession.

2. For each State ratifying or acceding to the present Protocol after the deposit of the tenth instrument of ratification or accession, the Protocol shall enter into force three months after the date of the deposit of its instrument of ratification or accession.

Article 19
Amendments

1. Any State Party may propose an amendment to the present Protocol and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a meeting of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a meeting, the Secretary-General shall convene the meeting under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of the present article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.

Article 20
Denunciation

1. Any State Party may denounce the present Protocol at any time by written notification addressed to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt of the notification by the Secretary-General.

2. Denunciation shall be without prejudice to the continued application of the provisions of the present Protocol to any communication submitted under articles 2 and 10 or to any procedure initiated under article 11 before the effective date of denunciation.

Article 21
Notification by the Secretary-General

The Secretary-General of the United Nations shall notify all States referred to in article 26, paragraph 1, of the Covenant of the following particulars:

(*a*) Signatures, ratifications and accessions under the present Protocol;

(*b*) The date of entry into force of the present Protocol and of any amendment under article 19;

(*c*) Any denunciation under article 20.

Article 22
Official languages

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States referred to in article 26 of the Covenant.

RESOLUTION 63/146

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/423, para. 22)[5]

63/146. Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 2008/255 of 25 July 2008 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

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[5] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Benin, Djibouti, Ecuador, Egypt, Israel, Italy, Mauritania, Republic of Moldova and Sudan.

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the letter dated 29 February 2008 from the Permanent Representative of Djibouti to the United Nations addressed to the Secretary-General[6] and the letter dated 30 May 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the Republic of Moldova to the United Nations addressed to the Secretary-General,[7]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from seventy-six to seventy-eight States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2009.

RESOLUTION 63/147

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/423, para. 22)[8]

63/147. New international humanitarian order

The General Assembly,

Recalling its resolution 61/138 of 19 December 2006, all previous resolutions concerning the promotion of a new international humanitarian order[9] and all relevant resolutions, in particular resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations, and the annex thereto, and resolution 62/94 of 17 December 2007 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations,

Noting with appreciation the continuing efforts of the Office for the Coordination of Humanitarian Affairs of the Secretariat and the Inter-Agency Standing Committee, as well as other United Nations agencies in the context of international humanitarian assistance,

Recognizing the importance of action at the national and regional levels and the role that regional organizations can play in certain cases to prevent humanitarian crises, and emphasizing the importance of continued international cooperation in support of affected States in dealing with natural disasters and complex emergencies,

Noting with appreciation the continuing efforts of the United Nations system to increase its capacity and that of its Member States to provide assistance to victims of humanitarian emergencies,

Recognizing the important role that international organizations, intergovernmental organizations, civil society, including non-governmental organizations, and the private sector can play, within their respective mandates, in the humanitarian context,

1. *Recognizes* the need for the further strengthening of national, regional and international efforts to address humanitarian emergencies;

2. *Expresses its appreciation* for the continuing efforts of the Secretary-General in the humanitarian field, and invites him to continue to promote strict adherence to refugee law, international humanitarian law and internationally agreed norms and principles in humanitarian emergency situations;

3. *Urges* Governments, intergovernmental organizations and civil society, including non-governmental organizations, to extend cooperation and support to the efforts of the Secretary-General, inter alia, through the relevant United Nations agencies and organizational mechanisms set up to address the assistance and protection needs of affected populations as well as the safety and security of United Nations and other humanitarian workers;

4. *Encourages* intergovernmental organizations and civil society, including non-governmental organizations, as well as the private sector, where appropriate, to assist and support national and international efforts to respond to humanitarian emergencies;

5. *Invites* Member States, the Office for the Coordination of Humanitarian Affairs, relevant entities of the United Nations system and intergovernmental organizations and civil society, including non-governmental organizations, to reinforce activities and cooperation so as to continue to develop an agenda for humanitarian action;

6. *Requests* the Secretary-General to report on these issues to the General Assembly at its sixty-fifth session in his annual report on the strengthening of the coordination of emergency humanitarian assistance of the United Nations.

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[6] E/2008/63.

[7] E/2008/84.

[8] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Azerbaijan, Bangladesh, Benin, Bosnia and Herzegovina, Comoros, Iraq, Jordan, Lebanon, Morocco, Nigeria and Pakistan.

[9] Resolutions 36/136, 37/201, 38/125, 40/126, 42/120, 42/121, 43/129, 43/130, 45/101, 45/102, 47/106, 49/170, 51/74, 53/124, 55/73, 57/184 and 59/171.

RESOLUTION 63/148

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/423, para. 22)[10]

63/148. Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[11] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-ninth session[12] and the conclusions and decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing its appreciation for the leadership shown by the High Commissioner, commending the staff and implementing partners of the Office of the High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities, and underlining its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-ninth session;[12]

2. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, which is aimed at strengthening the international protection regime and at assisting Governments in meeting their protection responsibilities;

3. *Notes with appreciation* the important guidance provided in the Executive Committee general conclusion on international protection;[13]

4. *Reaffirms* the 1951 Convention relating to the Status of Refugees[14] and the 1967 Protocol thereto[15] as the foundation of the international refugee protection regime, recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that one hundred and forty-seven States are now parties to one instrument or to both, encourages States not parties to consider acceding to those instruments, underlines, in particular, the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

5. *Notes* that sixty-three States are now parties to the 1954 Convention relating to the Status of Stateless Persons[16] and that thirty-five States are parties to the 1961 Convention on the Reduction of Statelessness,[17] encourages States that have not done so to give consideration to acceding to those instruments, notes the work of the High Commissioner in rega[illegible] identifying stateless persons, preventing and reducing statelessness and protecting stateless persons, and urges the Office of the High Commissioner to continue to work in this area in accordance with relevant General Assembly resolutions and Executive Committee conclusions;

6. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, and strongly emphasizes, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

7. *Also re-emphasizes* that prevention and reduction of statelessness are primarily the responsibility of States, in appropriate cooperation with the international community;

8. *Further re-emphasizes* that protection of and assistance to internally displaced persons are primarily the responsibility of States, in appropriate cooperation with the international community;

9. *Takes note* of the current activities of the Office of the High Commissioner related to protection of and assistance

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[10] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay and Zambia.

[11] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 12* (A/63/12).

[12] Ibid., *Supplement No. 12A* (A/63/12/Add.1).

[13] Ibid., chap. III, sect. A.

[14] United Nations, *Treaty Series*, vol. 189, No. 2545.

[15] Ibid., vol. 606, No. 8791.

[16] Ibid., vol. 360, No. 5158.

[17] Ibid., vol. 989, No. 14458.

to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the mandate of the Office for refugees and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

10. *Notes with appreciation* the process of structural and management change being undertaken by the Office of the High Commissioner, and encourages the Office to continue its pursuit of reforms, including the implementation of a results-based management framework and strategy, that would enable it to respond adequately and in a more efficient manner to the needs of its beneficiaries and ensure effective and transparent use of its resources;

11. *Encourages* the Office of the High Commissioner to pursue its efforts to strengthen its capacity to respond adequately to emergencies and thereby ensure a more predictable response to inter-agency commitments in case of emergency;

12. *Strongly condemns* attacks on refugees, asylum-seekers and internally displaced persons as well as acts that pose a threat to their personal security and well-being, and calls upon all concerned States and, where applicable, parties involved in an armed conflict to take all necessary measures to ensure respect for human rights and international humanitarian law;

13. *Deplores* the refoulement and unlawful expulsion of refugees and asylum-seekers, and calls upon all concerned States to ensure respect for the relevant principles of refugee protection and human rights;

14. *Emphasizes* that international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that it includes, in cooperation with States and other partners, the promotion and facilitation of, inter alia, the admission, reception and treatment of refugees in accordance with internationally agreed standards and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups and paying special attention to those with specific needs, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

15. *Affirms* the importance of age, gender and diversity mainstreaming in analysing protection needs and in ensuring the participation of refugees and other persons of concern to the Office of the High Commissioner, as appropriate, in the planning and implementation of programmes of the Office and State policies, and also affirms the importance of according priority to addressing discrimination, gender inequality and the problem of sexual and gender-based violence, recognizing the importance of addressing the protection needs of women and children in particular;

16. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

17. *Expresses concern* about the particular difficulties faced by the millions of refugees in protracted situations, and emphasizes the need to redouble international efforts and cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them, consistent with international law and relevant General Assembly resolutions;

18. *Recognizes* the importance of achieving durable solutions to refugee problems and, in particular, the need to address in this process the root causes of refugee movements in order to avert new flows of refugees;

19. *Recalls* the important role of effective partnerships and coordination in meeting the needs of refugees and in finding durable solutions to their situations, welcomes the efforts under way, in cooperation with countries hosting refugees and countries of origin, including their respective local communities, relevant United Nations agencies, international and intergovernmental organizations, regional organizations, as appropriate, non-governmental organizations and development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, which includes an approach to sustainable and timely return which encompasses repatriation, reintegration, rehabilitation and reconstruction activities, and encourages States, in cooperation with relevant United Nations agencies, international and intergovernmental organizations, regional organizations, non-governmental organizations and development actors, to support, inter alia, through the allocation of funds, the implementation of such a framework to facilitate an effective transition from relief to development;

20. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

21. *Welcomes* the progress that has been achieved in increasing the number of refugees resettled and the number of States offering opportunities for resettlement, and the contribution that those States make to durable solutions to refugees, and invites interested States, the Office of the High

Commissioner and other relevant partners to make use of the Multilateral Framework of Understandings on Resettlement,[18] where appropriate and feasible;

22. *Notes* the progress that is being made by interested States and the Office of the High Commissioner to take forward elements outlined in the Mexico Plan of Action to Strengthen International Protection of Refugees in Latin America, adopted on 16 November 2004,[18] and expresses its support for the efforts to promote its implementation with the cooperation and assistance of the international community, as appropriate, as well as by supporting host communities that receive large numbers of persons who require international protection;

23. *Also notes* that some progress is being made by interested States and the Office of the High Commissioner within the context of the European-Asian Programme on Forced Displacement and Migration on issues related to asylum and forced displacement, consistent with the mandate of the Office;

24. *Further notes* the importance of States and the Office of the High Commissioner discussing and clarifying the role of the Office in mixed migratory flows, in order to better address protection needs in the context of mixed migratory flows, including by safeguarding access to asylum for those in need of international protection, and notes the readiness of the High Commissioner, consistent with his mandate, to assist States in fulfilling their protection responsibilities in this regard;

25. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

26. *Notes* the important number of displaced in and from Iraq and its serious impact on the social and economic situation of countries in the region, and calls upon the international community to act in a targeted and coordinated manner to provide protection and increased assistance to the persons displaced to enable the countries in the region to strengthen their capacity to respond to the needs in partnership with the Office of the High Commissioner, other United Nations agencies, the International Red Cross and Red Crescent Movement and non-governmental organizations;

27. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of and reducing the heavy burden borne by host countries, in particular those that have received large numbers of refugees and asylum-seekers, and calls upon the Office to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition;

28. *Calls upon* the Office of the High Commissioner to further explore ways and means to broaden its donor base, so as to achieve greater burden-sharing by reinforcing cooperation with governmental donors, non-governmental donors and the private sector;

29. *Recognizes* that adequate and timely resources are essential for the Office of the High Commissioner to continue to fulfil the mandate conferred upon it through its statute[19] and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolutions 58/153 of 22 December 2003, 58/270 of 23 December 2003, 59/170 of 20 December 2004, 60/129 of 16 December 2005, 61/137 of 19 December 2006 and 62/124 of 18 December 2007 concerning, inter alia, the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

30. *Requests* the High Commissioner to report on his activities to the General Assembly at its sixty-fourth session.

RESOLUTION 63/149

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/423, para. 22)[20]

63/149. Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of

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[18] Available from www.unhcr.org.

[19] Resolution 428 (V), annex.

[20] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mauritius (on behalf of the States Members of the United Nations that are members of the Group of African States), Montenegro, Netherlands, Nicaragua, Norway, Portugal, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America.

1969[21] and the African Charter on Human and Peoples' Rights,[22]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[23] together with the 1967 Protocol thereto,[24] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing the particular vulnerability of women and children among refugees and other persons of concern, including exposure to discrimination and sexual and physical abuse,

Recognizing also that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV/AIDS, malaria and other infectious diseases,

Expressing its appreciation for the decision of the African Union to convene the Special Summit of Heads of State and Government of the African Union on Refugees, Returnees and Internally Displaced Persons in Africa, and welcoming the ongoing process to elaborate a draft African Union convention for the protection and assistance of internally displaced persons in Africa,

Noting with appreciation the Pact on Security, Stability and Development in the Great Lakes Region[25] and its instruments, in particular two of the Protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on Protection and Assistance to Internally Displaced Persons[25] and the Protocol on the Property Rights of Returning Persons,[25]

Recognizing that host States have the primary responsibility for the protection of and assistance to refugees on their territory, and the need to redouble efforts to develop and implement comprehensive durable solution strategies, in appropriate cooperation with the international community, and burden- and responsibility-sharing,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of the displacement problem in appropriate cooperation with the international community,

1. *Takes note* of the reports of the Secretary-General[26] and the United Nations High Commissioner for Refugees;[27]

2. *Notes* the need for African States to address resolutely root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall refugee flows;

3. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

4. *Welcomes* decision EX.CL/Dec.423 (XIII) on the situation of refugees, returnees and displaced persons in Africa adopted by the Executive Council of the African Union at its thirteenth ordinary session, held in Sharm el-Sheikh, Egypt, on 27 and 28 June 2008;[28]

5. *Expresses its appreciation* for the leadership shown by the Office of the United Nations High Commissioner for Refugees, and commends the Office for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Notes* the initiatives taken by the African Union and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa;

7. *Notes with appreciation* the general conclusion on international protection adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-ninth session, held in Geneva from 6 to 10 October 2008;[29]

8. *Acknowledges* the important contribution of the age, gender and diversity mainstreaming strategy in identifying, through a participatory approach, the protection risks faced by the different members of the refugee community, in particular the non-discriminatory treatment and protection of refugee women and refugee children and minority groups of refugees;

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[21] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[22] Ibid., vol. 1520, No. 26363.

[23] Ibid., vol. 189, No. 2545.

[24] Ibid., vol. 606, No. 8791.

[25] Available from www.icglr.org.

[26] A/63/321.

[27] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 12* (A/63/12).

[28] See A/63/515, annex II.

[29] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 12A* (A/63/12/Add.1), chap. III, sect. A.

9. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration in new societies, protracted situations of displacement and statelessness can increase child-protection risks, taking into account the particular vulnerability of refugee children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

10. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

11. *Also recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

12. *Recalls* the conclusion on registration of refugees and asylum-seekers adopted by the Executive Committee at its fifty-second session,[30] notes the many forms of harassment faced by refugees and asylum-seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

13. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight and facilitating durable solutions for refugees and displaced persons;

14. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern in regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

15. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

16. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

17. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

18. *Deplores* the continuing violence and insecurity which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all measures necessary to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any

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[30] Ibid., *Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

19. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum-seekers and internally displaced persons;

20. *Calls upon* the Office of the High Commissioner, the international community and other entities concerned to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular those Governments that have received large numbers of refugees and asylum-seekers;

21. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

22. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

23. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

24. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement,[31] where appropriate;

25. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

26. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

27. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including improvement of international burden- and responsibility-sharing and realization of durable solutions, within a multilateral context;

28. *Expresses grave concern* about the plight of internally displaced persons in Africa, notes the efforts of African States in strengthening the regional mechanisms for protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[32] takes note of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

29. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include

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[31] Available from www.unhcr.org.

[32] E/CN.4/1998/53/Add.2, annex.

information thereon in his reports to the Human Rights Council and the General Assembly;

30. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixty-fourth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

RESOLUTION 63/150

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/424 para. 39)[33]

63/150. Realizing the Millennium Development Goals for persons with disabilities through the implementation of the World Programme of Action concerning Disabled Persons and the Convention on the Rights of Persons with Disabilities

The General Assembly,

Recalling its previous resolutions concerning persons with disabilities, in particular resolutions 62/127 and 62/170 of 18 December 2007,

Recognizing the important role of the World Programme of Action concerning Disabled Persons[34] as a policy instrument and of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities[35] as an instrument in support of efforts for persons with disabilities, and the need to update those instruments in the light of the provisions of the Convention on the Rights of Persons with Disabilities,[36]

Welcoming the entry into force, on 3 May 2008, of the Convention and the Optional Protocol thereto,[37] the purpose of which is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity, and recognizing that the adoption of the Convention represents a crucial opportunity to consolidate disability-related activities within the United Nations system,

Aware that there are at least 650 million persons with disabilities worldwide, of whom 80 per cent live in developing countries, and that the majority of persons with disabilities live in conditions of poverty, and in this regard recognizing the critical need to address the negative impact of poverty on persons with disabilities,

Bearing in mind that conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation,

Underlining the importance of mobilizing resources at all levels for the successful implementation of the World Programme of Action and the Convention, and recognizing the importance of international cooperation and its promotion in support of national efforts, in particular in developing countries,

Reaffirming the need to include and integrate the rights, well-being and perspective of persons with disabilities in development efforts at the national, regional and international levels, without which the internationally agreed development goals, in particular the Millennium Development Goals, will not be genuinely achieved, and in this regard stressing the need to build or strengthen the effectiveness of national and regional legislation, the domestic policy environment and development programmes affecting persons with disabilities,

1. *Welcomes* the report of the Secretary-General on the fifth quinquennial review and appraisal of the World Programme of Action concerning Disabled Persons[38] and his report on the status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto;[39]

2. *Expresses concern* about the persistent gap between policy and practice regarding mainstreaming the perspective of persons with disabilities, including their rights and well-being, in the work of the United Nations in realizing the Millennium Development Goals;

3. *Urges* States to involve persons with disabilities on an equal basis with other persons in the formulation of strategies and plans, in particular those of most relevance to them;

4. *Encourages* States, in cooperation with, inter alia, intergovernmental and non-governmental organizations, as well as regional and international financial institutions and the private sector, as appropriate, to be guided in their work by the

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[33] The draft resolution recommended in the report was sponsored in the Committee by: Benin, Bosnia and Herzegovina, Chile, China, Congo, Dominican Republic El Salvador, Ethiopia, Ghana, Guatemala, Guinea, Honduras, Indonesia, Jamaica, Japan, Jordan, Kenya, Kyrgyzstan, Lebanon, Liberia, Mali, Mauritius, Mongolia, Mozambique, Nigeria, Panama, Paraguay, Peru, Philippines, Qatar, Senegal, Sri Lanka, Swaziland, Thailand, Turkey, Turkmenistan, Uganda, Ukraine and United Republic of Tanzania.

[34] A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation I (IV).

[35] Resolution 48/96, annex.

[36] Resolution 61/106, annex I.

[37] Ibid., annex II.

[38] A/63/183.

[39] A/63/264 and Corr.1.

objectives of the United Nations instruments related to disability by, inter alia:

(*a*) Examining development strategies, policies and programmes aimed at implementing internationally agreed development goals, including the Millennium Development Goals, and ensuring that they are inclusive of issues concerning persons with disabilities and that they promote the equalization of opportunities for all;

(*b*) Ensuring accessibility and reasonable accommodation to enable persons with disabilities to realize their right to live independently and participate fully in all aspects of life, as well as to be agents and beneficiaries of development;

(*c*) Providing appropriate resources and accessible services and safety nets for persons with disabilities to ensure improved well-being for all;

(*d*) Ensuring an adequate standard of living and social protection for persons with disabilities, including through equal access to poverty and hunger eradication programmes, inclusive quality education, in particular free and compulsory primary education and the progressive introduction of free secondary education, as well as the same range, quality and standard of free or affordable health care in order to ensure the highest attainable standard of health for persons with disabilities, without discrimination on the basis of disability, and access to full and productive employment and decent work for all;

(*e*) Promoting and strengthening national capacities for participatory, democratic and accountable processes and mechanisms that further the equalization of opportunities for the full and effective participation of persons with disabilities in civil, political, economic, social and cultural life;

5. *Encourages* States to collect and analyse appropriate information, including statistical and research data that are disaggregated by age and sex, on the situation of persons with disabilities, bearing in mind appropriate protection of personal data, for purposes of policy planning, analysis and evaluation that include the perspective of persons with disabilities, and in this regard invites States to avail themselves of the technical services of the Statistics Division of the Department of Economic and Social Affairs of the Secretariat;

6. *Reaffirms* the role of the United Nations Voluntary Fund on Disability, and encourages States, intergovernmental organizations, concerned non-governmental organizations and the private sector to continue to support the Fund, with a view to strengthening its capacity to support catalytic and innovative activities to implement fully the development goals and objectives of the World Programme of Action concerning Disabled Persons,[34] the Standard Rules on the Equalization of Opportunities for Persons with Disabilities[35] and the Convention on the Rights of Persons with Disabilities,[36] including the work of the Special Rapporteur on disability of the Commission for Social Development, and to facilitate international cooperation, including building national capacities, with emphasis on priorities for action identified in the present resolution;

7. *Calls upon* States to consider including in country reports in connection with the forthcoming periodic reviews of progress in achieving the Millennium Development Goals, a review and evaluation of the impact of development efforts on the rights, well-being and livelihood of persons with disabilities;

8. *Urges* States to pay special attention to the gender- and age-specific needs of persons with disabilities, including by taking measures to ensure their full and effective enjoyment of all human rights and fundamental freedoms;

9. *Also urges* States to take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters;

10. *Recognizes* the evolution of thought and discourse surrounding disability issues and the importance of aligning terminologies, definitions and models with the Convention, and requests the Secretary-General to update the World Programme of Action in this regard, while maintaining its thrust and objective of addressing disability issues in the context of economic and social development;

11. *Requests* the Secretary-General to give higher priority to the concerns of and issues related to persons with disabilities and their inclusion within the work programme of the United Nations system, and, within existing resources, to strengthen the role of the United Nations and its development programmes and agencies in mainstreaming disability issues, in promoting the rights and well-being of persons with disabilities and in taking into account the perspective and inclusion of persons with disabilities in the work of the United Nations system by:

(*a*) Promoting the inclusion of the perspective of persons with disabilities into the policies, programmes and projects of the Secretariat and the other United Nations bodies and agencies on a broader scale and with higher priority, based on a holistic approach in the work done in the fields of social development, human rights and non-discrimination, and in this regard ensuring that the 2010 World Programme on Population and Housing Censuses is inclusive of the perspective of persons with disabilities;

(*b*) Further strengthening action in all countries and providing assistance to developing countries, in particular to least developed countries, with special attention to persons with disabilities in vulnerable circumstances;

(*c*) Assisting Member States in formulating comprehensive and coherent policies and action plans, as well as projects, including pilot projects that promote, inter alia, international cooperation and technical assistance, in particular to enhance the capacities of government agencies, as well as civil society, including organizations of persons with disabilities, to implement programmes on disability;

12. *Encourages* States, in their efforts to realize the Millennium Development Goals, to recognize the importance of international cooperation and its promotion in support of national efforts for the realization of the purpose and objectives of the World Programme of Action and the Convention, and to undertake appropriate and effective measures in this regard between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities;

13. *Requests* the Secretary-General:

(*a*) To submit to the General Assembly at its sixty-fourth session a report on the situation of persons with disabilities with respect to the realization of all the Millennium Development Goals and on lessons learned and synergies and complementarities achieved, based on the implementation of the World Programme of Action, the Standard Rules and the Convention, in order to provide a framework for Member States in their efforts to achieve the internationally agreed development goals for persons with disabilities;

(*b*) To submit to the General Assembly at its sixty-fifth session a comprehensive biennial report on the implementation of the World Programme of Action, and progress and challenges concerning the advancement of persons with disabilities in the context of development and the realization of the Millennium Development Goals;

(*c*) To request the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities to integrate the rights of persons with disabilities into United Nations development activities and to provide guidelines for United Nations country teams.

RESOLUTION 63/151

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/424, para. 39)[40]

63/151. Follow-up to the Second World Assembly on Ageing

The General Assembly,

Recalling its resolution 57/167 of 18 December 2002, in which it endorsed the Political Declaration[41] and the Madrid International Plan of Action on Ageing, 2002,[42] its resolution 58/134 of 22 December 2003, in which it took note, inter alia, of the road map for the implementation of the Madrid Plan of Action, and its resolutions 60/135 of 16 December 2005, 61/142 of 19 December 2006 and 62/130 of 18 December 2007,

Taking note of the report of the Secretary-General,[43]

1. *Recognizes* the successful conclusion of the first review and appraisal of the Madrid International Plan of Action on Ageing, 2002,[42] and its results at the international, regional and national levels;

2. *Encourages* Governments to pay greater attention to building capacity to eradicate poverty among older persons, in particular older women, by mainstreaming ageing issues into poverty eradication strategies and national development plans, and to include both ageing-specific policies and ageing-mainstreaming efforts in their national strategies;

3. *Encourages* Member States to strengthen their efforts to develop national capacity to address their national implementation priorities identified during the review and appraisal exercise, and invites Member States that have not done so to consider a step-by-step approach to developing capacity that includes the setting of national priorities, the strengthening of institutional mechanisms, research, data collection and analysis and the training of necessary personnel in the field of ageing;

4. *Also encourages* Member States to overcome obstacles to the implementation of the Madrid Plan of Action by devising strategies that take into account the entirety of the human life-course and foster intergenerational solidarity in order to increase the likelihood of greater success in the years ahead;

5. *Further encourages* Member States to place particular emphasis on choosing national priorities that are realistic, feasible and have the greatest likelihood of being achieved in the years ahead, to develop targets and indicators to measure progress in the implementation process and to present their views on the outline of the strategic implementation framework contained in the report of the Secretary-General[43] so that they can be reflected in the final draft of the framework to

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[40] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Antigua and Barbuda (on behalf of States Members of the United Nations that are members of the Group of 77 and China), Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey and United Kingdom of Great Britain and Northern Ireland.

[41] *Report of the Second World Assembly on Ageing, Madrid, 8–12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annex I.

[42] Ibid., annex II.

[43] A/63/95.

be presented to the Commission for Social Development at its forty-seventh session, in February 2009;

6. *Recommends* that Member States increase awareness-raising of the Madrid Plan of Action, including by strengthening networks of national focal points on ageing, working with the regional commissions and enlisting the help of the Department of Public Information of the Secretariat to expand media coverage on ageing issues;

7. *Invites* Governments that have not done so to designate focal points for handling follow-up of national plans of action on ageing;

8. *Invites* Governments to conduct their ageing-related policies through inclusive and participatory consultations with relevant stakeholders and social development partners, in the interest of developing effective policies creating national policy ownership and consensus-building;

9. *Stresses* that, in order to complement national development efforts, enhanced international cooperation is essential to support developing countries in implementing the Madrid Plan of Action, while recognizing the importance of assistance and the provision of financial assistance;

10. *Encourages* the international community to support national efforts to forge stronger partnerships with civil society, including organizations of older persons, academia, research foundations, community-based organizations, including caregivers, and the private sector, in an effort to help to build capacity on ageing issues;

11. *Calls upon* Governments to ensure, as appropriate, conditions that enable families and communities to provide care and protection to persons as they age and to evaluate improvement in the health status of older persons, including on a gender-specific basis, and to reduce disability and mortality;

12. *Encourages* Governments to continue their efforts to implement the Madrid Plan of Action and to mainstream the concerns of older persons into their policy agendas, bearing in mind the crucial importance of family intergenerational interdependence, solidarity and reciprocity for social development and the realization of all human rights for older persons, and to prevent age discrimination and provide social integration;

13. *Encourages* the international community to enhance international cooperation to support national efforts to eradicate poverty, in keeping with internationally agreed goals, in order to achieve sustainable social and economic support for older persons;

14. *Encourages* the international community and the relevant agencies of the United Nations system, within their respective mandates, to support national efforts to provide funding for research and data-collection initiatives on ageing in order to better understand the challenges and opportunities presented by population ageing and to provide policymakers with more accurate and more specific information on gender and ageing;

15. *Recommends* that Member States reaffirm the role of United Nations focal points on ageing, increase technical cooperation efforts, expand the role of the regional commissions on ageing issues and provide added resources for those efforts, facilitate the coordination of national and international non-governmental organizations on ageing and enhance cooperation with academia on a research agenda on ageing;

16. *Reiterates* the need for additional capacity-building at the national level in order to promote and facilitate further implementation of the Madrid Plan of Action, as well as the result of its first review and appraisal cycle, and in that connection encourages Governments to support the United Nations Trust Fund for Ageing to enable the Department of Economic and Social Affairs of the Secretariat to provide expanded assistance to countries, upon their request;

17. *Recommends* that ongoing efforts to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,[44] take into account the situation of older persons;

18. *Requests* the Secretary-General to translate the *Guide to the National Implementation of the Madrid International Plan of Action on Ageing*[45] into all official languages of the United Nations so that it can be used more effectively by Member States, and encourages Member States to translate the *Guide* into their respective languages when appropriate;

19. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution, including information on the promotion and protection of human rights as they pertain to older persons.

RESOLUTION 63/152

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/424, para. 39)[46]

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[44] See resolution 55/2.

[45] United Nations publication, Sales No. E.08.IV.2.

[46] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine and United Kingdom of Great Britain and Northern Ireland.

63/152. Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

The General Assembly,

Recalling the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, and the twenty-fourth special session of the General Assembly entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", held at Geneva from 26 June to 1 July 2000,

Reaffirming that the Copenhagen Declaration on Social Development and the Programme of Action[47] and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session,[48] as well as a continued global dialogue on social development issues, constitute the basic framework for the promotion of social development for all at the national and international levels,

Recalling the United Nations Millennium Declaration[49] and the development goals contained therein, as well as the commitments made at major United Nations summits, conferences and special sessions, including the commitments made at the 2005 World Summit,[50]

Recalling also its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling further its resolution 60/209 of 22 December 2005 on the implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006),

Noting with appreciation the ministerial declaration adopted at the high-level segment of the substantive session of 2006 of the Economic and Social Council, on "Creating an environment at the national and international levels conducive to generating full and productive employment and decent work for all, and its impact on sustainable development",[51]

Noting that the decent work agenda of the International Labour Organization, with its four strategic objectives, has an important role to play, as reaffirmed in the International Labour Organization Declaration on Social Justice for a Fair Globalization,[52] in achieving the objective of full and productive employment and decent work for all,

Emphasizing the need to enhance the role of the Commission for Social Development in the follow-up and review of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly,

Recognizing that a people-centred approach must be at the centre of economic and social development,

Expressing deep concern that attainment of the social development objectives can be hindered by instability in global and national financial markets as well as challenges brought about by the ongoing food and energy crises,

Affirming its strong support for fair globalization and the need to translate growth into eradication of poverty and commitment to strategies and policies that aim to promote full, freely chosen and productive employment and decent work for all and that these should constitute a fundamental component of relevant national and international policies as well as national development strategies, including poverty reduction strategies, and reaffirming that employment creation and decent work should be incorporated into macroeconomic policies, taking fully into account the impact and social dimension of globalization, the benefits and costs of which are often unevenly shared and distributed,

1. *Takes note* of the report of the Secretary-General;[53]

2. *Welcomes* the reaffirmation by Governments of their will and commitment to continue implementing the Copenhagen Declaration on Social Development and the Programme of Action,[47] in particular to eradicate poverty, promote full and productive employment and foster social integration to achieve stable, safe and just societies for all;

3. *Recognizes* that the implementation of the Copenhagen commitments and the attainment of the internationally agreed development goals, including the Millennium Development Goals, are mutually reinforcing and that the Copenhagen commitments are crucial to a coherent people-centred approach to development;

4. *Reaffirms* that the Commission for Social Development continues to have the primary responsibility for the follow-up and review of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly and that it serves as the main United Nations forum for an intensified global dialogue on social development issues, and calls upon Member States, the relevant specialized agencies, funds and programmes of the

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[47] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[48] Resolution S-24/2, annex.

[49] See resolution 55/2.

[50] See resolution 60/1.

[51] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 3* (A/61/3/Rev.1), chap. III, para. 50.

[52] A/63/538-E/2009/4, annex.

[53] A/63/133.

United Nations system and civil society to enhance their support for its work;

5. *Recognizes* that the broad concept of social development affirmed by the World Summit for Social Development and the twenty-fourth special session of the General Assembly has been weakened in national and international policymaking and that, while poverty eradication is a central part of development policy and discourse, further attention should be given to the other commitments agreed to at the Summit, in particular those concerning employment and social integration, which have also suffered from a general disconnect between economic and social policymaking;

6. *Acknowledges* that the first United Nations Decade for the Eradication of Poverty (1997–2006), launched after the World Summit for Social Development, has provided the long-term vision for sustained and concerted efforts at the national and international levels to eradicate poverty;

7. *Recognizes* that the implementation of the commitments made by Governments during the first Decade has fallen short of expectations, and welcomes the proclamation of the Second United Nations Decade for the Eradication of Poverty (2008–2017) by the General Assembly in its resolution 62/205 of 19 December 2007 in order to support, in an efficient and coordinated manner, the internationally agreed development goals related to poverty eradication, including the Millennium Development Goals;

8. *Emphasizes* that the major United Nations conferences and summits, including the Millennium Summit and the 2005 World Summit, as well as the International Conference on Financing for Development, in its Monterrey Consensus,[54] have reinforced the priority and urgency of poverty eradication within the United Nations development agenda;

9. *Also emphasizes* that poverty eradication policies should attack poverty by addressing its root and structural causes and manifestations, and that equity and the reduction of inequalities need to be incorporated in those policies;

10. *Stresses* that an enabling environment is a critical precondition for achieving equity and social development and that, while economic growth is essential, entrenched inequality and marginalization are an obstacle to the broad-based and sustained growth required for sustainable, inclusive, people-centred development, and recognizes the need to balance and ensure complementarity between measures to achieve growth and measures to achieve economic and social equity in order for there to be an impact on overall poverty levels;

11. *Also stresses* that stability in global financial systems and corporate social responsibility and accountability, as well as national economic policies that have an impact on other stakeholders, are essential in creating an enabling international environment to promote economic growth and social development;

12. *Recognizes* the need to promote respect for all human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

13. *Reaffirms* the commitment to the empowerment of women and gender equality, as well as to the mainstreaming of a gender perspective into all development efforts, recognizing that these are critical for achieving sustainable development and for efforts to combat hunger, poverty and disease and to strengthen policies and programmes that improve, ensure and broaden the full participation of women in all spheres of political, economic, social and cultural life, as equal partners, and to improve their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers, including ensuring equal access to full and productive employment and decent work, as well as strengthening their economic independence;

14. *Also reaffirms* the commitment to promote opportunities for full, freely chosen and productive employment, including for the most disadvantaged, as well as decent work for all, in order to deliver social justice combined with economic efficiency, with full respect for fundamental principles and rights at work under conditions of equity, equality, security and dignity, and further reaffirms that macroeconomic policies should, inter alia, support employment creation, taking fully into account the social impact and dimension of globalization;

15. *Takes note with interest* of the adoption by the International Labour Conference on 10 June 2008 of the International Labour Organization Declaration on Social Justice for a Fair Globalization,[52] which acknowledges the particular role of the Organization in promoting a fair globalization and its responsibility to assist its members in their efforts;

16. *Reaffirms* that there is an urgent need to create an environment at the national and international levels that is conducive to the attainment of full and productive employment and decent work for all as a foundation for sustainable development and that an environment that supports investment, growth and entrepreneurship is essential to the creation of new job opportunities, and also reaffirms that opportunities for men and women to obtain productive work in conditions of freedom, equity, security and human dignity are essential to ensuring the eradication of hunger and poverty, the improvement of economic and social well-being for all, the achievement of

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[54] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

sustained economic growth and sustainable development of all nations and a fully inclusive and equitable globalization;

17. *Stresses* the importance of removing obstacles to the realization of the right of peoples to self-determination, in particular of peoples living under colonial or other forms of alien domination or foreign occupation, which adversely affect their social and economic development, including their exclusion from labour markets;

18. *Reaffirms* that violence, in its many manifestations, including domestic violence, especially against women, children, older persons and persons with disabilities, is a growing threat to the security of individuals, families and communities everywhere; total social breakdown is an all too real contemporary experience; organized crime, illegal drugs, the illicit arms trade, trafficking in women and children, ethnic and religious conflict, civil war, terrorism, all forms of extremist violence, xenophobia, and politically motivated killing and even genocide present fundamental threats to societies and the global social order; they also present compelling and urgent reasons for action by Governments individually and, as appropriate, jointly to foster social cohesion while recognizing, protecting and valuing diversity;

19. *Calls upon* the organizations of the United Nations system to commit to mainstreaming the goal of full and productive employment and decent work for all in their policies, programmes and activities;

20. *Requests* the United Nations funds, programmes and agencies and invites financial institutions to support efforts to mainstream the goals of full and productive employment and decent work for all in their policies, programmes and activities;

21. *Recognizes* that promoting full employment and decent work also requires investing in education, training and skills development for women and men, and girls and boys, strengthening social protection and health systems and applying labour standards;

22. *Also recognizes* that full and productive employment and decent work for all, which encompass social protection, fundamental principles and rights at work and social dialogue, are key elements of sustainable development for all countries and are therefore a priority objective of international cooperation;

23. *Stresses* that policies and strategies to achieve full employment and decent work for all should include specific measures to promote gender equality and foster social integration for social groups such as youth, persons with disabilities, and older persons, as well as migrants and indigenous peoples;

24. *Also stresses* the need to allocate adequate resources for the elimination of all forms of discrimination against women in the workplace, including unequal access to labour market participation and wage inequalities, as well as reconciliation of work and private life for both women and men;

25. *Encourages* States to promote youth employment by, inter alia, developing and implementing action plans in collaboration with all relevant stakeholders;

26. *Also encourages* States to pursue efforts to promote the concerns of older persons and persons with disabilities and their organizations in the planning, implementing and evaluating of all development programmes and policies;

27. *Stresses* that policies and programmes designed to achieve poverty eradication, full employment and decent work for all should include specific measures to foster social integration, including by providing marginalized socio-economic sectors and groups with equal access to opportunities and social protection;

28. *Acknowledges* the important nexus between international migration and social development, and stresses the importance of enforcing labour law effectively with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

29. *Reaffirms* that social integration policies should seek to reduce inequalities, promote access to basic social services, education for all and health care, increase the participation and integration of social groups, particularly youth, older persons and persons with disabilities, and address the challenges posed by globalization and market-driven reforms to social development in order for all people in all countries to benefit from globalization;

30. *Urges* Governments, with the cooperation of relevant entities, to develop systems of social protection and to extend or broaden, as appropriate, their effectiveness and coverage, including for workers in the informal economy, recognizing the need for social protection systems to provide social security and support labour-market participation, and invites the International Labour Organization to strengthen its social protection strategies, and policies on extending social security coverage, and also urges Governments, while taking account of national circumstances, to focus on the needs of those living in, or vulnerable to, poverty and give particular consideration to universal access to basic social security systems;

31. *Reaffirms* the commitment to promote the rights of indigenous peoples in the areas of education, employment, housing, sanitation, health and social security, and also notes the attention paid to those areas in the United Nations Declaration on the Rights of Indigenous Peoples;[55]

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[55] Resolution 61/295, annex.

32. *Recognizes* the need to formulate social development policies in an integral, articulated and participative manner, recognizing poverty as a multidimensional phenomenon, calls for interlinked public policies on this matter, and underlines the need for public policies to be included in a comprehensive development and well-being strategy;

33. *Acknowledges* the important role that the public sector can play as an employer and in developing an environment that enables the effective generation of full and productive employment and decent work for all;

34. *Also acknowledges* the vital role that the private sector can play in generating new investments, employment and financing for development and in advancing efforts towards full employment and decent work;

35. *Recognizes* that the majority of poor people live and work in rural areas, that priority should be given to agricultural and non-farm sectors and that steps should be taken to anticipate and offset the negative social and economic consequences of globalization and to maximize its benefits for poor people living and working in rural areas;

36. *Also recognizes* the need to give priority to investing in and further contributing to sustainable agricultural development and microenterprises, small and medium-sized enterprises and entrepreneurship cooperatives and other forms of social enterprises and the participation and entrepreneurship of women as means to promote full productive employment and decent work for all;

37. *Reaffirms* the commitments made in respect of "Meeting the special needs of Africa" at the 2005 World Summit,[56] underlines the call of the Economic and Social Council for enhanced coordination within the United Nations system and the ongoing efforts to harmonize the current initiatives on Africa, and requests the Commission for Social Development to continue to give due prominence in its work to the social dimensions of the New Partnership for Africa's Development;[57]

38. *Also reaffirms* that each country has the primary responsibility for its own economic and social development and that the role of national policies and development strategies cannot be overemphasized, and underlines the importance of adopting effective measures, including new financial mechanisms, as appropriate, to support the efforts of developing countries to achieve sustained economic growth, sustainable development, poverty eradication and the strengthening of their democratic systems;

39. *Further reaffirms*, in this context, that international cooperation has an essential role in assisting developing countries, including the least developed countries, in strengthening their human, institutional and technological capacity;

40. *Stresses* that the international community shall enhance its efforts to create an enabling environment for social development and poverty eradication through increasing market access for developing countries, technology transfer on mutually agreed terms, financial aid and a comprehensive solution to the external debt problem;

41. *Also stresses* that international trade and stable financial systems can be effective tools to create favourable conditions for the development of all countries and that trade barriers and some trading practices continue to have negative effects on employment growth, particularly in developing countries;

42. *Acknowledges* that good governance and the rule of law at the national and international levels are essential for sustained economic growth, sustainable development and the eradication of poverty and hunger;

43. *Urges* developed countries that have not yet done so in accordance with their commitments, to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

44. *Welcomes* the contribution to the mobilization of resources for social development by the initiatives taken on a voluntary basis by groups of Member States based on innovative financing mechanisms, including those that aim to provide further drug access at affordable prices to developing countries on a sustainable and predictable basis, such as the International Drug Purchase Facility, UNITAID, as well as other initiatives, such as the International Finance Facility for Immunization and the Advance Market Commitments for Vaccines, and notes the New York Declaration of 20 September 2004, which launched the Action against Hunger and Poverty initiative and called for further attention to raise funds urgently needed to help meet the Millennium Development Goals and to complement and ensure the long-term stability and predictability of foreign aid;

45. *Reaffirms* that social development requires the active involvement of all actors in the development process, including civil society organizations, corporations and small businesses, and that partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development, and also reaffirms that within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals;

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[56] See resolution 60/1, para. 68.

[57] A/57/304, annex.

46. *Underlines* the responsibility of the private sector, at both the national and the international levels, including small and large companies and transnational corporations, regarding not only the economic and financial but also the development, social, gender and environmental implications of their activities, their obligations towards their workers and their contributions to achieving sustainable development, including social development, and emphasizes the need to take concrete actions on corporate responsibility and accountability, including through the participation of all relevant stakeholders, inter alia, for the prevention or prosecution of corruption;

47. *Stresses* the importance of promoting corporate social responsibility and accountability, encourages responsible business practices, such as those promoted by the Global Compact, and invites the private sector to take into account not only the economic and financial but also the development, social, human rights, gender and environmental implications of its undertakings, and underlines the importance of the International Labour Organization Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

48. *Invites* the Secretary-General, the Economic and Social Council, the regional commissions, the relevant specialized agencies, funds and programmes of the United Nations system and other intergovernmental forums, within their respective mandates, to continue to integrate into their work programmes and give priority attention to the Copenhagen commitments and the Declaration on the tenth anniversary of the World Summit for Social Development,[58] to continue to be actively involved in their follow-up and to monitor the achievement of those commitments and undertakings;

49. *Invites* the Commission for Social Development to emphasize in its review of the implementation of the Copenhagen Declaration on Social Development and the Programme of Action the increased exchange of national, regional and international experiences, the focused and interactive dialogues among experts and practitioners and the sharing of best practices and lessons learned, and to address, inter alia, the potential impact of the ongoing food, financial and energy crises on social development goals;

50. *Decides* to include in the provisional agenda of its sixty-fourth session the sub-item entitled "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly", and requests the Secretary-General to submit a report on the question to the Assembly at that session.

RESOLUTION 63/153

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/424, para. 39)[59]

63/153. Follow-up to the implementation of the International Year of Volunteers

The General Assembly,

Recalling its resolution 60/134 of 16 December 2005 on the follow-up to the International Year of Volunteers,

Noting that the momentum created by the International Year has contributed to the vibrancy of volunteerism globally with the involvement of more people, from a broader cross-section of societies,

Recognizing that volunteerism is an important component of any strategy aimed at, inter alia, such areas as poverty reduction, sustainable development, health, disaster prevention and management and social integration and, in particular, overcoming social exclusion and discrimination,

Recognizing also that volunteerism makes significant contributions to development and that appropriate policies are needed to ensure that this potential is realized,

Acknowledging the existing contribution of the organizations of the United Nations system to supporting volunteering, especially the work of the United Nations Volunteers programme around the world, and acknowledging also the efforts of the International Federation of Red Cross and Red Crescent Societies to promote volunteerism throughout its global network,

Bearing in mind the need for an integrated and coordinated follow-up to the International Year to be pursued in the relevant parts of the United Nations system,

1. *Welcomes* the report of the Secretary-General;[60]

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[58] See *Official Records of the Economic and Social Council, 2005, Supplement No. 6* (E/2005/26), chap. I, sect. A; see also Economic and Social Council decision 2005/234.

[59] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Latvia, Lebanon, Lithuania, Luxembourg, Malawi, Malta, Mexico, Monaco, Mongolia, Netherlands, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Singapore, Slovakia, Slovenia, Spain, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Uruguay.

[60] A/63/184.

2. *Reaffirms* the need to recognize and promote all forms of volunteerism as an issue that involves and benefits all segments of society, including women, children, young persons, older persons, persons with disabilities, minorities, migrants and those who remain excluded for social or economic reasons;

3. *Recognizes* the importance of supportive legislative and fiscal frameworks for the growth and development of volunteerism, and encourages Governments to enact such measures;

4. *Welcomes* the work of Governments, the United Nations system and other stakeholders to create a supportive environment for the promotion of volunteerism;

5. *Takes note* of the actions by Governments to support volunteerism, and reiterates its call upon them to continue such action;

6. *Acknowledges* the importance of civil society organizations for the promotion of volunteerism, and in that respect recognizes that strengthening the dialogue and interaction between civil society and the United Nations contributes to the expansion of volunteerism;

7. *Encourages* Governments to establish partnerships with civil society in order to build up volunteer potential at the national level, given the important contribution that volunteerism makes to the fulfilment of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[61]

8. *Welcomes* the expanding involvement of the private sector in support of volunteerism, and encourages Governments to support this trend;

9. *Invites* Governments to mobilize and support the research community globally to carry out more studies on the subject of volunteerism, in partnership with civil society, in order to provide sound knowledge as a foundation for policies and programmes;

10. *Recognizes* that greater efforts are needed to ensure that climate change and the environment feature on the volunteerism agenda of Governments and the United Nations;

11. *Calls for* the relevant organizations and bodies of the United Nations system to integrate volunteerism in its various forms into their policies, programmes and reports, and encourages the recognition and inclusion of volunteer contributions in future United Nations and other relevant international conferences;

12. *Reaffirms* its recognition of the work of the United Nations Volunteers programme as the focal point for the follow-up to the International Year of Volunteers, and requests it to continue to raise awareness of the contribution of volunteerism to peace and development, to act as a convener on the subject for the various interested stakeholders, to make available networking and reference resources and to provide technical cooperation to developing countries, upon their request;

13. *Invites* the Commission for Social Development to consider "volunteerism for development" in the context of its theme of social integration at its forty-seventh and forty-eighth sessions, in 2009 and 2010 respectively;

14. *Decides* that, on or around 5 December 2011, the International Volunteer Day for Economic and Social Development, two plenary meetings of the sixty-sixth session of the General Assembly shall be devoted to follow-up to the International Year and the commemoration of its tenth anniversary, under the item entitled "Social development";

15. *Invites* Governments, with the active support of the media, civil society and the private sector, as well as development partners and the relevant organizations and bodies of the United Nations system, to carry out activities focused on marking the tenth anniversary of the International Year, in 2011, at the regional and national levels;

16. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution under the item entitled "Social development".

RESOLUTION 63/154

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/424, para. 39)[62]

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[61] See resolution 55/2.

[62] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zambia.

63/154. United Nations Literacy Decade: education for all

The General Assembly,

Recalling its resolution 56/116 of 19 December 2001, by which it proclaimed the ten-year period beginning on 1 January 2003 the United Nations Literacy Decade, its resolution 57/166 of 18 December 2002, in which it welcomed the International Plan of Action for the United Nations Literacy Decade,[63] and its resolutions 59/149 of 20 December 2004 and 61/140 of 19 December 2006,

Recalling also the United Nations Millennium Declaration,[64] in which Member States resolved to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education, which requires a renewed commitment to promote literacy for all,

Reaffirming the emphasis placed by the 2005 World Summit on the critical role of both formal and non-formal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for achieving universal literacy, and the need to strive for expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty,

Reaffirming also that quality basic education is crucial to nation-building, that literacy for all is at the heart of basic education for all and that creating literate environments and societies is essential for achieving the goals of eradicating poverty, reducing child mortality, curbing population growth, achieving gender equality and ensuring sustainable development, peace and democracy,

Convinced that literacy is crucial to the acquisition by every child, youth and adult of the essential life skills that will enable them to address the challenges that they can face in life and represents an essential condition of lifelong learning, which is an indispensable means for effective participation in the knowledge societies and economies of the twenty-first century,

Affirming that the realization of the right to education, especially for girls, contributes to the promotion of gender equality and the eradication of poverty,

Welcoming the considerable efforts that have been made so far by Member States and the international community to address the objectives of the Decade and to implement the International Plan of Action,

Reaffirming the right of indigenous peoples, in particular children, to have non-discriminatory access to all levels and forms of education provided by States,

Noting with deep concern that 774 million adults do not have basic literacy skills, 75 million children remain out of school, and millions more young people leave school without a level of literacy adequate for productive and active participation in their societies, that the issue of literacy may not be sufficiently high on national agendas to generate the kind of political and economic support required to address global literacy challenges and that the world is unlikely to meet those challenges if the present trends continue,

Deeply concerned about the persistence of the gender gap in education, which is reflected by the fact that nearly two thirds of the world's adult illiterates are women,

1. *Takes note* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of the International Plan of Action for the United Nations Literacy Decade;[65]

2. *Takes note also* of the summary outcomes of the Regional Conferences in Support of Global Literacy, held in Azerbaijan, China, India, Mali, Mexico and Qatar in 2007 and 2008,[66] which indicate that the second half of the Decade should develop appropriate networks for greater regional collaboration;

3. *Recognizes* that a renewed collective commitment will be needed if the objectives of the Decade are to be met;

4. *Calls upon* Member States to further reinforce political will, giving literacy higher priority within their educational planning and budgeting;

5. *Appeals* to all Governments to develop reliable literacy data and information and more inclusive policymaking environments and to devise innovative strategies for reaching the groups disproportionately affected by illiteracy, in particular the poorest and most marginalized groups, and for seeking alternative formal and non-formal approaches to learning with a view to achieving the goals of the Decade;

6. *Appeals* to Governments to take full account of the use of languages in different contexts by promoting multilingual approaches to literacy, through which learners may acquire initial literacy in the language they know best and in additional languages as needed;

7. *Urges* all Governments to take the lead in coordinating the activities of the Decade at the national level, bringing all relevant national actors together in a sustained

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[63] See A/57/218 and Corr.1.

[64] See resolution 55/2.

[65] See A/63/172.

[66] Available from http://www.unesco.org/education/en/literacy/conferences.

dialogue and collaborative action on policy formulation, implementation and evaluation of literacy efforts;

8. *Appeals* to all Governments to strengthen national and subnational professional institutions in their countries and to foster greater collaboration among all literacy partners with a view to developing greater capacity to design and deliver high-quality literacy programmes for youth and adults;

9. *Appeals* to all Governments and to economic and financial organizations and institutions, both national and international, to lend greater financial and material support to the efforts to increase literacy and achieve the goals of Education for All and those of the Decade;

10. *Takes note* of the three priority areas for the remaining years of the Decade identified through the mid-Decade review, namely, mobilizing stronger commitment to literacy, reinforcing more effective literacy programme delivery and harnessing new resources for literacy;

11. *Requests* the United Nations Educational, Scientific and Cultural Organization to reinforce its coordinating and catalysing role in the fight against illiteracy and to develop, in cooperation with other international partners, in particular the specialized agencies and organizations of the United Nations system, a strategic framework for renewed cooperation and action, on the basis of the mid-Decade review and the outcomes of the Regional Conferences in Support of Global Literacy, including the above-mentioned three priorities;

12. *Invites* Member States, the specialized agencies and other organizations of the United Nations system, as well as relevant intergovernmental and non-governmental organizations, to support the implementation of the above priorities within the framework of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[64]

13. *Calls upon* Member States, in the implementation of the International Plan of Action[63] in the second half of the Decade, to give adequate attention to the cultural diversity of minorities and indigenous peoples;

14. *Requests* all relevant entities of the United Nations system, in particular the United Nations Educational, Scientific and Cultural Organization, in cooperation with national Governments, to take immediate, concrete steps to address the needs of countries with high illiteracy rates and/or with large populations of illiterate adults, with particular regard to women, including through programmes that promote low-cost and effective literacy provisions;

15. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to seek the views of Member States on the progress achieved in implementing their national programmes and plans of action for the Decade and to submit the next progress report on the implementation of the International Plan of Action to the General Assembly in 2010;

16. *Decides* to include in the provisional agenda of its sixty-fifth session, under the item entitled "Social development", the sub-item entitled "United Nations Literacy Decade: education for all".

RESOLUTION 63/155

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/425, para. 27)[67]

63/155. Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolutions 61/143 of 19 December 2006 and 62/133 of 18 December 2007, and all its previous resolutions on the elimination of violence against women,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[68] and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

Reaffirming also the Declaration on the Elimination of Violence against Women,[69] the Beijing Declaration and

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[67] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Kazakhstan, Latvia, Lebanon, Lesotho, Liberia, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritius, Mexico, Monaco, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of) and Zambia.

[68] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[69] See resolution 48/104.

Platform for Action,[70] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[71] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[72]

Reaffirming further the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[73] and at the 2005 World Summit,[74] and noting the attention paid to the elimination of all forms of violence against indigenous women in the United Nations Declaration on the Rights of Indigenous Peoples adopted by the General Assembly in its resolution 61/295 of 13 September 2007,

Recalling the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court,[75] as well as the recognition by the ad hoc international criminal tribunals that rape can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide or torture,

Recalling also Security Council resolution 1325 (2000) of 31 October 2000, and welcoming the adoption of Council resolution 1820 (2008) of 19 June 2008 on women and peace and security,

Deeply concerned about the pervasiveness of violence against women and girls in all its different forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls throughout the world,

Recognizing that violence against women is rooted in historically unequal power relations between men and women and that all forms of violence against women seriously violate and impair or nullify the enjoyment by women of all human rights and fundamental freedoms and constitute a major impediment to the ability of women to make use of their capabilities,

Recognizing also that women's poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of sustainable development, can place them at increased risk of violence, and that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Recognizing further that the empowerment of women, by ensuring their full representation and full and equal participation at all levels of decision-making, is important in eliminating violence against women and girls,

Acknowledging the need to address violence against women holistically, including through the recognition of linkages between violence against women and other issues such as HIV/AIDS, poverty eradication, food security, peace and security, humanitarian assistance, health and crime prevention,

Expressing its appreciation for the high number of activities undertaken by States to eliminate all forms of violence against women, such as enacting or amending legislation relating to acts of violence against women and adopting comprehensive national action plans to combat such violence,

Recognizing the important role of civil society, in particular women's organizations, in the efforts to eliminate all forms of violence against women,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;

2. *Recognizes* that violence against women and girls persists in every country in the world as a pervasive violation of the enjoyment of human rights and a major impediment to achieving gender equality, development, peace and the internationally agreed development goals, in particular the Millennium Development Goals;

3. *Expresses its concern* about the continuing level of impunity for acts of violence against women worldwide;

4. *Welcomes* the report of the Secretary-General on the intensification of efforts to eliminate all forms of violence against women,[76] and takes note of the report of the Secretary-General on eliminating rape and other forms of sexual violence in all their manifestations, including in conflict and related situations;[77]

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[70] *Report of the Fourth World Conference on Women, Beijing 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[71] Resolution S-23/2, annex, and resolution S-23/3, annex.

[72] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[73] See resolution 55/2.

[74] See resolution 60/1.

[75] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[76] A/63/214 and Corr.1.

[77] A/63/216 and Corr.1.

5. *Welcomes also* the efforts and important contributions at the local, national, regional and international levels to eliminate all forms of violence against women, including by the Committee on the Elimination of Discrimination against Women and the Special Rapporteur on violence against women, its causes and consequences, in particular the second thematic report on violence against women, its causes and consequences submitted by the Special Rapporteur to the Human Rights Council in 2008;[78]

6. *Recognizes* the important role of the family in preventing and combating violence against women and girls and the need to support its capacity to prevent and combat violence against women;

7. *Welcomes* the launch of the Secretary-General's campaign to end violence against women "UNiTE to End Violence against Women", supported, inter alia, by the United Nations Development Fund for Women advocacy campaign "Say NO to violence against women" and the United Nations inter-agency initiative "Stop Rape Now: United Nations Action against Sexual Violence in Conflict", stresses the need to ensure that concrete follow-up activities will be undertaken by the United Nations system to intensify action to end violence against women, in close consultation with existing system-wide activities on violence against women, and requests the Secretary-General to identify, announce and report on the basis of the expected results of his campaign;

8. *Strongly condemns* all acts of violence against women and girls, whether these acts are perpetrated by the State, by private persons or by non-State actors, and calls for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State;

9. *Stresses* that it is important that States strongly condemn all forms of violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;[69]

10. *Stresses also* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls and must exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

11. *Urges* States to end impunity for violence against women by investigating, prosecuting with due process and punishing all perpetrators, by ensuring that women have equal protection of the law and equal access to justice and by holding up to public scrutiny and eliminating those attitudes that foster, justify or tolerate all forms of violence against women and girls;

12. *Reaffirms* that the persistence of armed conflicts in various parts of the world is a major impediment to the elimination of all forms of violence against women, and, bearing in mind that armed and other types of conflicts and terrorism and hostage-taking still persist in many parts of the world and that aggression, foreign occupation and ethnic and other types of conflicts are an ongoing reality affecting women and men in nearly every region, calls upon all States and the international community to place particular focus on and give priority attention and increased assistance to the plight and suffering of women and girls living in such situations and to ensure that, where violence is committed against them, all perpetrators of such violence are duly investigated and, as appropriate, prosecuted and punished in order to end impunity, while stressing the need to respect international humanitarian law and human rights law;

13. *Stresses* the need for the exclusion of the killing and maiming of women and girls, as prohibited under international law, and sexual violence crimes from amnesty provisions in the context of conflict resolution processes;

14. *Stresses also* that States should take measures to ensure that all officials responsible for implementing policies and programmes aimed at preventing violence against women, protecting and assisting the victims, and investigating and punishing violence against women, receive proper training to sensitize them to the different and specific needs of women, in particular women who have been subjected to violence, so that women are not revictimized when seeking justice and redress;

15. *Stresses further* that States should take all possible measures to empower women and inform them of their rights in seeking redress through mechanisms of justice, inform everyone of women's rights and of the existing penalties for violating those rights, and engage men and boys, as well as families, as agents of change in preventing and condemning violence against women;

16. *Urges* States to continue to develop their national strategy and a more systematic, comprehensive, multisectoral and sustained approach aimed at eliminating all forms of violence against women, including by achieving gender equality and the empowerment of women, and by using best practices to end impunity and a culture of tolerance towards violence against women, inter alia, in the fields of legislation, prevention, law enforcement, victim assistance and rehabilitation, such as:

(*a*) Establishing, in partnership with all relevant stakeholders, a comprehensive integrated national plan dedicated to combating violence against women in all its aspects, which includes data collection and analysis, prevention and protection measures, as well as national information campaigns using resources to eliminate in the media gender stereotypes that lead to violence against women and girls;

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[78] A/HRC/7/6.

(*b*) Reviewing and, where appropriate, revising, amending or abolishing all laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women, and ensuring that the provisions of multiple legal systems, where they exist, comply with international human rights obligations, commitments and principles, including the principle of non-discrimination;

(*c*) Evaluating and assessing the impact of current legislation, rules and procedures regarding violence against women, including the reasons for low reporting, and, where necessary, reinforcing criminal law and procedure relating to all forms of violence against women and, where necessary, incorporating into law measures aimed at preventing violence against women;

(*d*) Ensuring that there is sufficient knowledge, including expertise in effective legal approaches to eliminating violence against women, awareness and coordination in the legal system and, to that end, where appropriate, appointing a focal point in the legal system for cases of violence against women;

(*e*) Ensuring the systematic collection and analysis of data to monitor all forms of violence against women, while ensuring and maintaining the privacy and confidentiality of the victims, including with the involvement of national statistical offices and, where appropriate, in partnership with other actors;

(*f*) Establishing appropriate national mechanisms for monitoring and evaluating the implementation of national measures, including national action plans, taken to eliminate violence against women and girls, including through the use of national indicators;

(*g*) Providing adequate financial support for the implementation of national action plans to end violence against women and other relevant activities;

(*h*) Allocating adequate resources to promote the empowerment of women and gender equality and to prevent and redress all forms and manifestations of violence against women;

(*i*) Adopting all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;

(*j*) Empowering women, in particular women living in poverty, through, inter alia, social and economic policies that guarantee them full and equal access to all levels of quality education and training and to affordable and adequate public and social services, as well as equal access to financial resources and full and equal rights to own land and other property, and taking further appropriate measures to address the increasing rate of homelessness or inadequate housing for women in order to reduce their vulnerability to violence;

(*k*) Treating all forms of violence against women and girls as a criminal offence, punishable by law, and ensuring penalties commensurate with the severity of the crimes and sanctions in domestic legislation to punish and redress, as appropriate, the wrongs caused to women who are subjected to violence;

(*l*) Taking effective measures to prevent the victim's consent from becoming an impediment to bringing perpetrators of violence against women to justice, while ensuring that appropriate safeguards to protect the victim are in place;

(*m*) Ensuring that effective legal assistance is available to all female victims of violence so that they can make informed decisions regarding, inter alia, legal proceedings and issues relating to family law, and also ensuring that victims have access to just and effective remedies for the harm that they have suffered, including through the adoption of national legislation where necessary;

(*n*) Ensuring that all relevant public officials coordinate effectively in the prevention, investigation, prosecution and punishment of all forms of violence against women, and provide protection and support to victims;

(*o*) Developing or improving and disseminating specialized training programmes, including practical tools and good practices guidelines on how to identify, prevent and deal with cases of violence against women and on how to assist victims, for police officers, the judiciary, health workers, law enforcement personnel and other relevant public authorities;

(*p*) Strengthening national health and social infrastructure to reinforce measures to promote women's equal access to public health and address the health consequences of all forms of violence against women, including by providing support to victims;

(*q*) Establishing or supporting integrated centres through which shelter, legal, health, psychological, counselling and other services are provided to victims of all forms of violence against women and, where such centres are not yet feasible, promoting collaboration and coordination among agencies, in order to make remedies more accessible and to facilitate the physical, psychological and social recovery of victims, and ensuring that victims have access to such services;

(*r*) Ensuring adequate and comprehensive rehabilitation and reintegration of victims of violence into society;

(*s*) Ensuring that the prison system and probation services provide appropriate rehabilitation programmes for perpetrators, as a preventive tool to avoid recidivism;

(*t*) Supporting and engaging in partnerships with non-governmental organizations, in particular women's organizations, and other relevant actors and the private sector to end violence against women;

17. *Calls upon* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and gender equality in order to enhance national efforts to eliminate violence against women and girls, including, upon request, in the development and implementation of national action plans on the elimination of violence against women and girls, through, inter alia, and taking into account national priorities, official development assistance and other appropriate assistance, such as facilitating the sharing of guidelines, methodologies and best practices;

18. *Stresses* the contribution of the ad hoc international criminal tribunals in ending impunity through ensuring accountability and punishing perpetrators of violence against women, as well as the contribution the International Criminal Court can make, and urges States to consider ratifying or acceding as a matter of priority to the Rome Statute,[75] which entered into force on 1 July 2002;

19. *Welcomes* the steps taken by several United Nations bodies to discuss, within their respective mandates, the question of violence against women in all its forms and manifestations, and encourages all relevant bodies to continue to address this issue in their future efforts and work programmes;

20. *Reiterates its request* to the Inter-Agency Network on Women and Gender Equality to consider ways and means to enhance the effectiveness of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls, and in this regard stresses the importance of new and increased contributions from all States to the Fund in order to achieve the target set by the United Nations Development Fund for Women;

21. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia, through the Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality;

22. *Requests* the Secretary-General to submit:

(*a*) To the General Assembly at its sixty-fourth session a report with information provided by the United Nations bodies, funds and programmes and the specialized agencies on their follow-up activities to implement Assembly resolutions 61/143 and 62/133 and the present resolution, including on their assistance to States in their efforts to eliminate all forms of violence against women;

(*b*) To the General Assembly at its sixty-fifth session a report with information provided by States on their follow-up activities to implement the present resolution;

23. *Also requests* the Secretary-General to present an oral report to the Commission on the Status of Women at its fifty-third session with information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolutions 61/143 and 62/133, including on the progress made in enhancing the effectiveness of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women as a system-wide United Nations mechanism and on the progress of the Secretary-General's campaign to end violence against women, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to that report;

24. *Decides* to continue the consideration of the question at its sixty-fourth session under the item entitled "Advancement of women".

RESOLUTION 63/156

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/425, para. 27)[79]

63/156. Trafficking in women and girls

The General Assembly,

Recalling all international conventions that deal specifically with the problem of trafficking in women and girls, such as the Convention on the Elimination of All Forms of Discrimination against Women[80] and the Optional Protocol thereto,[81] the Convention on the Rights of the Child[82] and the

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[79] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Monaco, Mongolia, Montenegro, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of) and Zambia.

[80] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[81] Ibid., vol. 2131, No. 20378.

[82] Ibid., vol. 1577, No. 27531.

Optional Protocol thereto on the sale of children, child prostitution and child pornography,[83] the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others[84] and the United Nations Convention against Transnational Organized Crime[85] and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime[86] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[87] as well as previous resolutions of the General Assembly and its subsidiary body the Human Rights Council, and the Economic and Social Council and its functional commissions on the issue,

Reaffirming the provisions pertaining to trafficking in women and girls contained in the outcome documents of relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women,[88]

Reaffirming also the commitment made by world leaders at the Millennium Summit and the 2005 World Summit to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims,

Recalling the reports of the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on trafficking in persons, especially women and children, and the Special Rapporteur on violence against women, its causes and consequences, as well as the information that deals with trafficking in women and girls contained in the report of the Secretary-General on the in-depth study on all forms of violence against women,[89]

Recalling also the report of the United Nations Office on Drugs and Crime entitled "Trafficking in Persons: Global Patterns" of April 2006 and the attention paid in it to the situation of trafficked women and girls,

Taking note of the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, within the framework of the Global Initiative to Fight Human Trafficking, and of the thematic debate on the issue of trafficking in persons, held on 3 June 2008, within the framework of the General Assembly,

Taking note also of the renewal of the mandate of the Special Rapporteur on trafficking in persons, especially women and children, and of the fact that part of her task is to integrate a gender- and age-specific perspective throughout the work of her mandate, inter alia, through the identification of gender- and age-specific vulnerabilities in relation to the issue of trafficking in persons,

Acknowledging the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court,[90] which entered into force on 1 July 2002,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons, and to rescue victims as well as provide for their protection, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Seriously concerned that an increasing number of women and girls from some developing countries and countries with economies in transition are being trafficked to developed countries, as well as within and between regions and States, and that men and boys are also victims of trafficking, including for sexual exploitation,

Recognizing that certain efforts against trafficking in persons lack the gender and age sensitivity needed to address effectively the situation of women and girls, who are particularly vulnerable to trafficking for the purposes of sexual exploitation, forced labour, services and other forms of exploitation, thus highlighting the need to incorporate a gender- and age-sensitive approach in all anti-trafficking efforts,

Recognizing also the need to address the impact of globalization on the particular problem of trafficking in women and children, in particular girls,

Recognizing further the challenges to combating trafficking in women and girls owing to the lack of adequate legislation and implementation of existing legislation, the lack of availability of reliable sex-disaggregated data and statistics, and the lack of resources,

Concerned about the use of new information technologies, including the Internet, for purposes of exploitation of the prostitution of others, for trafficking in women as brides, for sex tourism exploiting women and children and for child pornography, paedophilia and any other forms of sexual exploitation of children,

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[83] Ibid., vol. 2171, No. 27531.

[84] Ibid., vol. 96, No. 1342.

[85] Ibid., vol. 2225, No. 39574.

[86] Ibid., vol. 2237, No. 39574.

[87] Ibid., vol. 2241, No. 39574.

[88] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[89] A/61/122 and Add.1 and Add.1/Corr.1.

[90] United Nations, *Treaty Series*, vol. 2187, No. 38544.

Concerned also about the increasing activities of transnational criminal organizations and others that profit from international trafficking in persons, especially women and children, without regard to dangerous and inhuman conditions and in flagrant violation of domestic laws and international standards,

Recognizing that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination and violence, including on the grounds of their gender, age, ethnicity, culture and religion, as well as their origins, and that these forms of discrimination themselves may fuel trafficking in persons,

Noting that some of the demand for prostitution and forced labour is met by trafficking in persons in some parts of the world,

Acknowledging that women and girl victims of trafficking, on account of their gender, are further disadvantaged and marginalized by a general lack of information or awareness and recognition of their human rights and by the stigmatization often associated with trafficking, as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights, and that special measures are required for their protection and to increase their awareness,

Reaffirming the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on best practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Reaffirming also that global efforts, including international cooperation and technical assistance programmes, to eradicate trafficking in persons, especially women and children, demand the strong political commitment, shared responsibility and active cooperation of all Governments of countries of origin, transit and destination,

Recognizing that policies and programmes for prevention, rehabilitation, repatriation and reintegration should be developed through a gender- and age-sensitive, comprehensive and multidisciplinary approach, with concern for the security of the victims and respect for the full enjoyment of their human rights and with the involvement of all actors in countries of origin, transit and destination,

Convinced of the need to protect and assist all victims of trafficking, with full respect for the human rights of the victims,

1. *Welcomes* the efforts of Governments, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the particular problem of trafficking in women and girls, and encourages them to enhance their efforts and cooperation, including by sharing their knowledge, technical expertise and best practices as widely as possible;

2. *Calls upon* Governments to discourage, with a view to eliminating, the demand that fosters the trafficking of women and girls for all forms of exploitation, and in this regard to enhance preventive measures, including legislative measures, to deter exploiters of trafficked persons, as well as ensure their accountability;

3. *Also calls upon* Governments to take appropriate measures to address the factors that increase vulnerability to being trafficked, including poverty and gender inequality, as well as other factors that encourage the particular problem of trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriage and forced labour, in order to prevent and eliminate such trafficking, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing perpetrators, through both criminal and civil measures;

4. *Calls upon* Governments, the international community and all other organizations and entities that deal with conflict and post-conflict, disaster and other emergency situations to address the heightened vulnerability of women and girls to trafficking and exploitation, and associated gender-based violence;

5. *Urges* Governments to devise, enforce and strengthen effective gender- and age-sensitive measures to combat and eliminate all forms of trafficking in women and girls, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy that integrates a human rights perspective, and to draw up, as appropriate, national action plans in this regard;

6. *Urges* Governments, in cooperation with intergovernmental and non-governmental organizations, to support and allocate resources to strengthen preventive action, in particular education for women and men, as well as for girls and boys, on gender equality, self-respect and mutual respect, and campaigns, carried out in collaboration with civil society, to increase public awareness of the issue at the national and grass-roots levels;

7. *Encourages* Governments to take appropriate measures to eliminate sex tourism demand, especially of children, through all possible preventive actions;

8. *Urges* Governments to develop educational and training programmes and policies and consider, as appropriate,

enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

9. *Also urges* Governments to consider signing and ratifying and States parties to implement relevant United Nations legal instruments, such as the United Nations Convention against Transnational Organized Crime[85] and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[86] the Convention on the Elimination of All Forms of Discrimination against Women[80] and the Optional Protocol thereto[81] and the Convention on the Rights of the Child[82] and the Optional Protocol thereto on the sale of children, child prostitution and child pornography,[83] as well as the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), the Convention concerning Discrimination in respect of Employment and Occupation, 1958 (Convention No. 111) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization;

10. *Encourages* Member States to strengthen national programmes and to engage in bilateral, subregional, regional and international cooperation, including by forging regional initiatives or plans of action,[91] to address the problem of trafficking in persons through, inter alia, the enhancement of information-sharing, gender- and age-specific data collection and other technical capacities, and mutual legal assistance, as well as the combating of corruption and laundering of proceeds derived from trafficking, including for purposes of commercial sexual exploitation, and to ensure that such agreements and initiatives are particularly responsive to the problem of trafficking as it affects women and girls;

11. *Calls upon* all Governments to criminalize all forms of trafficking in persons, recognizing its increasing occurrence for purposes of sexual exploitation, commercial sexual exploitation and abuse, sex tourism and forced labour, and to bring to justice and punish the offenders and intermediaries involved, whether local or foreign, through the competent national authorities, either in the country of origin of the offender or in the country in which the abuse occurs, in accordance with due process of law, as well as to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

12. *Urges* Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from revictimization as a result of actions taken by government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence;

13. *Invites* Governments to consider setting up or strengthening a national coordinating mechanism, for example, a national rapporteur or an inter-agency body, with the participation of civil society, including non-governmental organizations, to encourage the exchange of information and to report on data, root causes, factors and trends in violence against women, in particular trafficking, and to include data disaggregated by sex and age;

14. *Encourages* Governments and relevant United Nations bodies, within existing resources, to take appropriate measures to raise public awareness of the issue of trafficking in persons, particularly women and girls; to discourage, with a view to eliminating, the demand that fosters all forms of exploitation, including sexual exploitation and forced labour; to publicize the laws, regulations and penalties relating to this issue; and to emphasize that trafficking is a serious crime;

15. *Calls upon* concerned Governments to allocate resources, as appropriate, to provide comprehensive programmes for the physical, psychological and social recovery of victims of trafficking, including through job training, legal assistance in a language that they can understand and health care, including for HIV/AIDS, and by taking measures to cooperate with intergovernmental and non-governmental organizations to provide for the social, medical and psychological care of the victims;

16. *Encourages* Governments, in cooperation with intergovernmental and non-governmental organizations, to undertake or strengthen campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, as well as information on the risks of irregular migration and the ways and means used by traffickers, so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

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[91] Such as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, the Coordinated Mekong Ministerial Initiative against Trafficking, the Action Plan for the Asia-Pacific region of the Asian Regional Initiative against Trafficking in Persons, Especially Women and Children (see A/C.3/55/3, annex), the initiatives of the European Union on a comprehensive European policy and programmes on trafficking in human beings, as expressed most recently in the European Union plan on best practices, standards and procedures for combating and preventing trafficking in human beings, adopted in December 2005, the activities of the Council of Europe and the Organization for Security and Cooperation in Europe, the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the Organization of American States Meeting of National Authorities on Trafficking in Persons, and the activities of the International Labour Organization and the International Organization for Migration in this field.

17. *Encourages* Governments to intensify collaboration with non-governmental organizations to develop and implement gender- and age-sensitive programmes for effective counselling, training and reintegration into society of victims of trafficking and programmes that provide shelter and helplines to victims or potential victims;

18. *Urges* Governments to provide or strengthen training for law enforcement, judicial, immigration and other relevant officials in the prevention and combating of trafficking in persons, including the sexual exploitation of women and girls, and in this regard calls upon Governments to ensure that the treatment of victims of trafficking, especially by law enforcers, immigration officers, consular officials, social workers and other first-response officials, is conducted with full respect for the human rights of those victims and with gender and age sensitivity, and observes the principles of non-discrimination, including the prohibition of racial discrimination;

19. *Invites* Governments to take steps to ensure that criminal justice procedures and witness protection programmes are sensitive to the particular situation of trafficked women and girls and that they are supported and assisted, as appropriate, in making complaints to the police or other authorities without fear and being available when required by the criminal justice system, and to ensure that during this time they have access to gender- and age-sensitive protection and, as appropriate, social, medical, financial and legal assistance, including the possibility of obtaining compensation for damages suffered;

20. *Also invites* Governments to encourage media providers, including Internet service providers, to adopt or strengthen self-regulatory measures to promote the responsible use of media, particularly the Internet, with a view to eliminating the exploitation of women and children, in particular girls, which could foster trafficking;

21. *Invites* the business sector, in particular the tourism and telecommunications industries, including mass media organizations, to cooperate with Governments in eliminating trafficking in women and children, in particular girls, including through the dissemination by the media of information regarding the dangers of trafficking, the rights of trafficked persons and the services available to victims of trafficking;

22. *Stresses* the need for the systematic collection of sex- and age-disaggregated data and comprehensive studies at both the national and the international levels and the development of common methodologies and internationally defined indicators to make it possible to develop relevant and comparable figures, and encourages Governments to enhance information-sharing and data-collection capacity as a way of promoting cooperation to combat the trafficking problem;

23. *Invites* Governments, United Nations bodies, agencies and special mechanisms, intergovernmental and non-governmental organizations and the private sector to undertake collaborative and joint research and studies on trafficking in women and girls that can serve as a basis for policy formulation or change;

24. *Invites* Governments, with the support of the United Nations, when necessary, and other intergovernmental organizations, taking into account best practices, to formulate training manuals and other informational materials and provide training for law enforcement, judicial and other relevant officers, and medical and support personnel, with a view to sensitizing them to the special needs of women and girl victims;

25. *Encourages* Governments, relevant intergovernmental bodies and international organizations to ensure that military, peacekeeping and humanitarian personnel deployed in conflict, post-conflict and other emergency situations are provided training on conduct that does not promote, facilitate or exploit trafficking in women and girls, including for sexual exploitation, and to raise the awareness of such personnel of the potential risks to victims of conflict and other emergency situations, including natural disasters, of being trafficked;

26. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Covenants on Human Rights[92] to include information and statistics on trafficking in women and girls as part of their national reports to their respective committees and to work towards developing a common methodology and statistics to obtain comparable data;

27. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report that compiles successful interventions and strategies, as well as the gaps, in addressing the gender dimensions of the problem of trafficking in persons, and provides recommendations on the strengthening of gender- and age-sensitive approaches within the various aspects of efforts to address trafficking in persons.

RESOLUTION 63/157

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/425, para. 27)[93]

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[92] Resolution 2200 A (XXI), annex.

[93] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Austria, Belarus, Israel, Italy, Mexico and Spain.

63/157. Future operation of the International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling all of its previous resolutions on the situation of the International Research and Training Institute for the Advancement of Women, in particular resolution 60/229 of 23 December 2005,

Recalling also its resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review of operational activities for development of the United Nations system,

Acknowledging its resolution 62/277 of 15 September 2008, in particular its gender-specific provisions, and in this context encouraging the ongoing work on gender equality and the empowerment of women,

Recalling Economic and Social Council resolution 2007/37 of 27 July 2007, in which the Council reaffirmed the specific mandate of the Institute to conduct research and training for gender equality and the empowerment of women as a central focal point for research and training on gender issues within the United Nations system,

Taking into account Commission on the Status of Women resolution 52/3 of 7 March 2008 entitled "Strengthening of the International Research and Training Institute for the Advancement of Women",[94]

Welcoming the contributions of the Institute to the achievement of the Millennium Development Goals, the implementation of the Convention on the Elimination of All Forms of Discrimination against Women [95] and the implementation of the Beijing Declaration and Platform for Action[96] and the outcome document of the twenty-third special session of the General Assembly,[97]

Taking note with appreciation of the progress report on the Institute by its Director with respect to the implementation of the programme of work for the period from 15 May to 30 September 2008,[98] which measures progress through the utilization of indicators of achievement as established in the revised workplan for 2008,[99]

Welcoming the approval by the Executive Board of the Institute of the revised workplan for 2008 and its endorsement of the operational budget for 2008,[100]

Acknowledging the contributions of the Institute in promoting gender equality and the empowerment of women in the areas of security, international migration, in particular remittances and development, and governance and political participation,

Recognizing the contribution of the Institute to the ongoing efforts in gender mainstreaming through its research and training outputs involving national gender machineries, academic institutes, regional intergovernmental organizations, non-governmental organizations and the private sector,

Reaffirming the importance of seeking medium-term sustainable financial resources for the Institute,

Welcoming the activities undertaken by the Director of the Institute to actively promote a fund-raising strategy for the Institute,

Expressing its satisfaction with the progress of the Institute in the area of resource mobilization, which has enabled the Institute to fully reimburse the amount committed by the Secretary-General on an exceptional basis from the United Nations regular budget, and recognizing the improved financial standing of the Institute,

Recognizing that the implementation of the programme of work and strategic plan of the Institute will contribute to a comprehensive discussion on international migration and development from a gender perspective,

1. *Requests* the International Research and Training Institute for the Advancement of Women, in accordance with its mandate, to coordinate further its activities and to develop its programme of work in collaboration with other relevant United Nations entities, such as the United Nations Development Fund for Women, the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women of the Department of Economic and Social Affairs of the Secretariat, the Commission on the Status of Women, the Women's Human Rights and Gender Unit in the Office of the United Nations High Commissioner for Human Rights and the Committee on the Elimination of Discrimination against Women, and calls upon those entities to continue their collaborative efforts;

2. *Also requests* the Institute, in accordance with its mandate, to collaborate with the United Nations system, national machinery, non-governmental organizations and the private sector in promoting international cooperation to foster the empowerment of women and gender equality, including

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[94] See *Official Records of the Economic and Social Council, 2008, Supplement No. 7* (E/2008/27), chap. I, sect. D.

[95] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[96] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[97] Resolution S-23/3, annex.

[98] INSTRAW/EB/2008/R.13.

[99] INSTRAW/EB/2007/R.4/Rev.1.

[100] See INSTRAW/EB/2007/R.14, sect. III, para. 6, decision II.

through the promotion of better access to education for women and girls and the mainstreaming of a gender perspective in all policies and programmes;

3. *Further requests* the Institute, in accordance with its mandate and in close coordination with the United Nations Population Fund, the United Nations Children's Fund and other relevant United Nations programmes and funds, to actively participate in and contribute to discussions on issues related to international migration and development;

4. *Invites* the Institute to continue, in close cooperation with other relevant United Nations bodies, to promote and undertake research and training programmes on gender mainstreaming, in the context of the Millennium Development Goals, the implementation of the Convention on the Elimination of All Forms of Discrimination against Women[95] and the Beijing Declaration and Platform for Action,[96] as well as the commitments made at the twenty-third special session of the General Assembly;[97]

5. *Requests* the Institute, within its mandate, to continue to assist countries in promoting and supporting the political participation and economic and social advancement of women through training programmes;

6. *Stresses* the critical importance of voluntary financial contributions by Member States to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women to enable it to carry out its mandate, and invites Member States to make voluntary contributions to the Trust Fund;

7. *Calls for* the diversification of funding resources, and in this regard invites Member States to continue to provide assistance and support to the Institute through voluntary contributions and substantive involvement in its projects and activities;

8. *Looks forward* to the enhanced implementation of the strategic plan of the Institute under the leadership of the new Director, to be appointed shortly by the Secretary-General;

9. *Requests* the Secretary-General to continue to provide, within existing resources, appropriate administrative assistance and support to the Institute, in accordance with the provisions of the statute of the Institute,[101] including by enhancing coordination among the Institute and the Department of Economic and Social Affairs and the Department of Management of the Secretariat, in order to ensure that the objectives of the strategic plan, including resource mobilization efforts, are effectively and efficiently carried out;

10. *Also requests* the Secretary-General to include information on the implementation of the present resolution in his report to be submitted to the Economic and Social Council at its substantive session of 2009 through the Commission on the Status of Women at its fifty-third session, and to submit his report to the General Assembly at its sixty-fourth session.

RESOLUTION 63/158

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/425, para. 27)[102]

63/158. Supporting efforts to end obstetric fistula

The General Assembly,

Recalling its resolution 62/138 of 18 December 2007 on supporting efforts to end obstetric fistula,

Reaffirming the Beijing Declaration and Platform for Action,[103] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[104] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[105]

Reaffirming also the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on

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[101] Economic and Social Council resolution 2003/57, annex.

[102] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe.

[103] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[104] Resolution S-23/2, annex, and resolution S-23/3, annex.

[105] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[106] and at the 2005 World Summit,[107]

Reaffirming further the Convention on the Elimination of All Forms of Discrimination against Women[108] and the Convention on the Rights of the Child,[109] and urging States that have not done so to consider, as a matter of priority, signing, ratifying or acceding to those Conventions and the Optional Protocols thereto,[110]

Taking note with appreciation of the report of the Secretary-General on supporting efforts to end obstetric fistula,[111] and welcoming the conclusions and recommendations contained therein,

Stressing the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child, violence against young women and girls and gender discrimination as root causes of obstetric fistula, and that poverty remains the main social risk factor,

Recognizing that the difficult socio-economic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty,

Recognizing also that early pregnancy and early childbearing entail complications during pregnancy and delivery and a much higher risk of maternal mortality and morbidity, and deeply concerned that early childbearing and limited access to the highest attainable standard of health, including sexual and reproductive health, including in the area of emergency obstetric care, cause high levels of obstetric fistula and other maternal morbidities as well as maternal mortality,

Recognizing further the serious immediate and long-term implications for health, including sexual and reproductive health, as well as increased vulnerability to HIV/AIDS, and the negative impact on psychological, social and economic development, that violence against the girl child and adolescent girls represents for individuals, families, communities and States,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access by girls to education, nutrition and physical and mental health and in enjoyment by girls of fewer of the rights, opportunities and benefits of childhood and adolescence compared with boys and their often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices,

Welcoming the contribution by Member States, the international community and civil society to the global Campaign to End Fistula, bearing in mind that a people-centred approach to social and economic development is fundamental for protecting and empowering individuals and communities,

Welcoming also ongoing partnerships between stakeholders at all levels to address the multifaceted determinants of maternal mortality and the commitments announced at the 2008 high-level event on the Millennium Development Goals to accelerate progress on millennium development goal 5,

1. *Recognizes* the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child and gender discrimination as root causes of obstetric fistula, that poverty remains the main social risk factor, that the eradication of poverty is critical to meeting the needs and protecting and promoting the rights of women and girls and that continued urgent national and international action is required to eliminate it;

2. *Stresses* the need to address the social issues that contribute to the problem of obstetric fistula, such as early marriage of the girl child, early pregnancy, lack of access to sexual and reproductive health, lack of or inadequate education of women and girls, poverty and low status of women and girls;

3. *Also stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, that they must exercise due diligence in order to prevent, investigate and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

4. *Calls upon* States to take all necessary measures to ensure the right of women and girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and develop sustainable health systems and social services, with a view to ensuring access to such systems and services without discrimination, while paying special attention to adequate food and nutrition, water and sanitation, family planning information, increasing knowledge and awareness and securing appropriate prenatal and post-natal care for the prevention of obstetric fistula;

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[106] See resolution 55/2.

[107] See resolution 60/1.

[108] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[109] Ibid., vol. 1577, No. 27531.

[110] Ibid., vol. 2131, No. 20378; and ibid., vols. 2171 and 2173, No. 27531.

[111] A/63/222.

5. *Also calls upon* States to ensure that women and girls have equal access to free and compulsory primary education of good quality and that they complete their education at that level, and to renew their efforts to improve and expand girls' and women's education at all levels, including at the secondary and higher levels, as well as vocational education and technical training, in order to, inter alia, achieve gender equality, the empowerment of women and poverty eradication;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, and to raise the minimum age for marriage where necessary;

7. *Calls upon* the international community to support the activities of the United Nations Population Fund and other partners in the global Campaign to End Fistula, including the World Health Organization, in establishing and financing regional fistula treatment and training centres by identifying and supporting health facilities that have the potential to serve as centres for treatment, training and convalescent care;

8. *Calls upon* States and/or the relevant funds and programmes, organs and specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant actors of civil society, including non-governmental organizations, and the private sector:

(*a*) To redouble their efforts to meet the internationally agreed goal of improving maternal health by making maternal health services and obstetric fistula treatment geographically and financially accessible, including by increasing access to skilled attendance at birth and emergency obstetric care, and appropriate prenatal and post-natal care;

(*b*) To develop, implement and support national and international prevention, care and treatment and reintegration and support strategies, as appropriate, to address effectively the condition of obstetric fistula and to develop further a multisectoral, multidisciplinary, comprehensive and integrated approach in order to bring about lasting solutions and put an end to obstetric fistula, maternal mortality and related morbidities, including through ensuring access to affordable, comprehensive, quality maternal health-care services, including skilled birth attendance and emergency obstetric care;

(*c*) To strengthen the capacity of health systems, in particular public health systems, to provide the essential services needed to prevent obstetric fistula and to treat those cases that do occur by providing the continuum of services, including family planning, prenatal care, skilled birth attendance, emergency obstetric care and post-partum care, to young women and girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

(*d*) To strengthen research, monitoring and evaluation systems, including community-based notification of obstetric fistula cases and maternal and newborn deaths, to guide the implementation of maternal health programmes;

(*e*) To provide essential health services, equipment and supplies and skills training and income-generating projects to women and girls so that they can break out of a cycle of poverty;

(*f*) To mobilize funding to provide free or subsidized fistula repairs, including through encouraging more networking among providers and the sharing of new treatment techniques and protocols;

(*g*) To provide health education, rehabilitation and reintegration counselling, including medical counselling, as key components of post-operative care;

(*h*) To bring obstetric fistula to the attention of policymakers and communities, thereby reducing the stigma and discrimination associated with it and helping women and girls suffering from obstetric fistula so that they can overcome abandonment and social exclusion together with the psychosocial implications thereof, inter alia, through the support of social reintegration projects;

(*i*) To educate individual women and men, girls and boys, communities, policymakers and health professionals about how obstetric fistula can be prevented and treated and increase awareness of the needs of pregnant women and girls, including their right to the highest attainable standard of health, through working with community and religious leaders, traditional birth attendants, media, radio stations, influential public figures and policymakers, support the training of doctors, midwives, nurses and other health workers in lifesaving obstetric care, and include training on fistula repair, treatment and care as a standard element of health professionals' training curricula;

(*j*) To develop means of transportation and financing that enable women and girls to access obstetric care and treatment, and provide incentives and other means to secure the presence in rural areas of qualified health professionals who are able to perform interventions to prevent obstetric fistula;

9. *Encourages* communication and networking among existing fistula centres to facilitate training, research, advocacy and fund-raising and the development and application of relevant standards, including *Obstetric Fistula: Guiding Principles for Clinical Management and Programme Development*, published in 2006 by the World Health Organization, which provides background information along with principles for developing fistula prevention and treatment strategies and programmes;

10. *Urges* the international community to address the shortages of doctors, midwives, nurses and other health workers

trained in lifesaving obstetric care, and of space and supplies, which limit the capacity of most of the fistula centres;

11. *Urges* multilateral donors, and invites international financial institutions, within their respective mandates, and regional development banks to review and implement policies to support national efforts to ensure that a higher proportion of resources reaches young women and girls, in particular in rural and remote areas;

12. *Invites* Member States to contribute to efforts to end obstetric fistula, including, in particular, the United Nations Population Fund global Campaign to End Fistula, with the goal of eliminating obstetric fistula by 2015, in line with the targets of the millennium development goal of improving maternal health;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution under the item entitled "Advancement of women".

RESOLUTION 63/159

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/425, para. 27)[112]

63/159. Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

The General Assembly,

Recalling its previous resolutions on the question, including resolution 62/137 of 18 December 2007,

Deeply convinced that the Beijing Declaration and Platform for Action[113] and the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"[114] are important contributions to the achievement of gender equality and the empowerment of women, and must be translated into effective action by all States, the United Nations system and other organizations concerned,

Reaffirming the commitments to gender equality and the advancement of women made at the Millennium Summit,[115] the 2005 World Summit[116] and other major United Nations summits, conferences and special sessions, and reaffirming also that their full, effective and accelerated implementation are integral to achieving the internationally agreed development goals, including the Millennium Development Goals,

Welcoming progress made towards achieving gender equality, but stressing that challenges and obstacles remain in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Recognizing that the responsibility for the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session rests primarily at the national level and that strengthened efforts are necessary in this respect, and reiterating that enhanced international cooperation is essential for full, effective and accelerated implementation,

Welcoming the work of the Commission on the Status of Women in reviewing the implementation of the Beijing Declaration and Platform for Action, and noting with appreciation the agreed conclusions on financing for gender equality and the empowerment of women, adopted by the Commission at its fifty-second session,[117]

Reaffirming that gender mainstreaming is a globally accepted strategy for promoting the empowerment of women and achieving gender equality by transforming structures of inequality, and reaffirming also the commitment to actively promote the mainstreaming of a gender perspective in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres, as well as the commitment to strengthen the capabilities of the United Nations system in the area of gender equality,

Bearing in mind the challenges and obstacles to changing discriminatory attitudes and gender stereotypes, and stressing that challenges and obstacles remain in the implementation of international standards and norms to address the inequality between men and women,

Expressing serious concern that the urgent goal of 50/50 gender balance in the United Nations system, especially at senior and policymaking levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, remains unmet, and that the representation of women in the United Nations system has remained almost static, with negligible improvement in some parts of the system, and in some cases has even decreased, as reflected in the report of the Secretary-General on the improvement of the status of women in the United Nations system,[118]

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[112] The draft resolution recommended in the report was submitted by the Chairman of the Committee.

[113] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[114] Resolution S-23/2, annex, and resolution S-23/3, annex.

[115] See resolution 55/2.

[116] See resolution 60/1.

[117] See *Official Records of the Economic and Social Council, 2008, Supplement No. 7* (E/2008/27), chap. I, sect. A; see also Economic and Social Council decision 2008/235.

Acknowledging its resolution 62/277 of 15 September 2008, in particular its gender-specific provisions, and in this context encouraging the ongoing work on gender equality and the empowerment of women,

Reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding,

Reaffirming also the Declaration of Commitment on HIV/AIDS[119] and the Political Declaration on HIV/AIDS adopted at the High-level Meeting on HIV/AIDS, held from 31 May to 2 June 2006,[120] which, inter alia, acknowledged the feminization of the pandemic,

Noting with appreciation the report of the Secretary-General on mainstreaming a gender perspective into all policies and programmes of the United Nations system,[121]

1. *Takes note with appreciation* of the report of the Secretary-General on the measures taken and progress achieved in follow-up to the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly;[122]

2. *Reaffirms* the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women,[113] the outcome of the twenty-third special session of the General Assembly,[114] and the declaration adopted on the occasion of the ten-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action at the forty-ninth session of the Commission on the Status of Women,[123] and also reaffirms its commitment to their full, effective and accelerated implementation;

3. *Recognizes* that the implementation of the Beijing Declaration and Platform for Action and the fulfilment of the obligations of States parties under the Convention on the Elimination of All Forms of Discrimination against Women[124] are mutually reinforcing in achieving gender equality and the empowerment of women, and in this regard welcomes the contributions of the Committee on the Elimination of Discrimination against Women to promoting the implementation of the Platform for Action and the outcome of the twenty-third special session, and invites States parties to the Convention to include information on measures taken to enhance implementation at the national level in their reports to the Committee under article 18 of the Convention;

4. *Calls upon* Governments, the United Nations system and other international and regional organizations, and all sectors of civil society, including non-governmental organizations, as well as all women and men, to fully commit themselves and to intensify their contributions to the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

5. *Calls upon* States parties to comply fully with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto[125] and to take into consideration the concluding comments as well as the general recommendations of the Committee, urges States parties to consider limiting the extent of any reservations that they lodge to the Convention, to formulate any reservations as precisely and narrowly as possible, and to regularly review such reservations with a view to withdrawing them so as to ensure that no reservation is incompatible with the object and purpose of the Convention, also urges all Member States that have not yet ratified or acceded to the Convention to consider doing so, and calls upon those Member States that have not yet done so to consider signing, ratifying or acceding to the Optional Protocol;

6. *Encourages* all actors, inter alia, Governments, the United Nations system, other international organizations and civil society, to continue to support the work of the Commission on the Status of Women in fulfilling its central role in the follow-up to and review of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and, as applicable, to carry out its recommendations, and welcomes in this regard the revised programme and methods of work of the Commission adopted at its fiftieth session,[126] which give particular attention to the sharing of experiences, lessons learned and good practices in overcoming challenges to full implementation at the national and international levels as well as to the evaluation of progress in the implementation of priority themes;

7. *Calls upon* Governments, and the relevant funds and programmes, organs and specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant actors of civil society, including non-governmental organizations, to intensify action to achieve the full and effective implementation

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[118] A/63/364.

[119] Resolution S-26/2, annex.

[120] Resolution 60/262, annex.

[121] E/2008/53.

[122] A/63/217.

[123] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[124] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[125] Ibid., vol. 2131, No. 20378.

[126] See Economic and Social Council resolution 2006/9.

of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, through, inter alia:

(*a*) Sustained political will and commitment at the national, regional and international levels to take further action, inter alia, through the mainstreaming of gender perspectives, including through the development and use of gender equality indicators, as applicable, in all policies and programmes and the promotion of full and equal participation and empowerment of women, and enhanced international cooperation;

(*b*) Promotion and protection of, and respect for, the full enjoyment of human rights and fundamental freedoms by women and girls, including through the full implementation by States of their obligations under all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women;

(*c*) Ensuring full representation and full and equal participation of women in political, social and economic decision-making as an essential condition for gender equality, and the empowerment of women and girls as a critical factor in the eradication of poverty;

(*d*) Involving women actively in environmental decision-making at all levels, integrating gender concerns and perspectives in policies and programmes for sustainable development, and strengthening or establishing mechanisms at the national, regional and international levels to assess the impact on women of development and environmental policies and strategies, including those related to climate change, deforestation and desertification;

(*e*) Integrating a gender perspective into the design, implementation, monitoring, evaluation and reporting of national environmental policies, strengthening mechanisms and providing adequate resources to ensure full and equal participation of women in decision-making at all levels on environmental issues, in particular on strategies related to the impact of climate change on the lives of women and girls;

(*f*) Enhancing the role of women at all levels and in all aspects of rural development, agriculture, nutrition and food security, including by ensuring legislation and administrative reforms, including access to ownership and control over land and other forms of property, credit, inheritance, natural resources and new technology;

(*g*) Providing technical assistance to women, particularly in developing countries, to ensure the continuing promotion of human resources development and the development of environmentally sound technologies and of women's entrepreneurship;

(*h*) Respect for the rule of law, including legislation, and continued efforts to repeal laws and eradicate policies and practices that discriminate against women and girls, and to adopt laws and promote practices that protect their rights;

(*i*) Strengthening the role of national institutional mechanisms for gender equality and the advancement of women, including through financial and other appropriate assistance, to increase their direct impact on women;

(*j*) Undertaking socio-economic policies that promote sustainable development and ensure poverty eradication programmes, especially for women and girls, and strengthening the provision of and ensuring equal access to adequate, affordable and accessible public and social services, including education and training at all levels, as well as to all types of permanent and sustainable social protection/social security systems for women throughout their life cycle, and supporting national efforts in this regard;

(*k*) Promoting and supporting increased access for all women and girls to information and communication technology, particularly women and girls living in poverty, and women and girls living in rural and remote areas and in disadvantaged situations, and enhancing international support to overcome the digital divide among countries and regions, and between women and men and girls and boys;

(*l*) Taking further steps to ensure that the education system and the media, to the extent consistent with freedom of expression, support the use of non-stereotypic, balanced and diverse images of women presenting them as key actors of the process of development as well as promoting non-discriminatory roles of women and men in their private and public life;

(*m*) Ensuring women's and girls' full and equal access to all levels of quality education and training, while ensuring progressively and on the basis of equal opportunities that primary education is compulsory, accessible and available free to all;

(*n*) Incorporating gender perspectives and human rights in health-sector policies, programmes and research activities, paying attention to women's and girls' specific needs and priorities, ensuring women's right to the highest attainable standards of health and their access to affordable and adequate health-care services, including sexual, reproductive and maternal health care and lifesaving obstetric care, in accordance with the Programme of Action of the International Conference on Population and Development,[127] and recognizing that the lack of economic empowerment and independence has increased women's vulnerability to a range of negative consequences, involving the risk of contracting HIV/AIDS, malaria, tuberculosis and other poverty-related diseases;

(*o*) Eliminating gender inequalities, gender-based abuse and violence; increasing the capacity of women and adolescent girls to protect themselves from the risk of HIV infection, principally through the provision of health care and services, including sexual and reproductive health, and the provision of full access to comprehensive information and education; ensuring that women can exercise their right to have control over, and decide freely and responsibly on, matters related to their sexuality in order to increase their ability to protect themselves from HIV infection, including their sexual and reproductive health, free of coercion, discrimination and violence; and taking all necessary measures to create an enabling environment for the empowerment of women and to strengthen their economic independence, while, in this context, reiterating the importance of the role of men and boys in achieving gender equality;

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[127] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

(*p*) Strengthening national health and social infrastructures to reinforce measures to promote women's access to public health and taking action at the national level to address shortages of human resources for health by, inter alia, developing, financing and implementing policies, within national development strategies, to improve training and management and effectively govern the recruitment, retention and deployment of health workers, including through international cooperation in this area;

(*q*) Adequate mobilization of resources at the national and international levels, as well as new and additional resources for the developing countries, including the least developed countries and countries with economies in transition, from all available funding mechanisms, including multilateral, bilateral and private sources;

(*r*) Increased partnerships among Governments, civil society and the private sector;

(*s*) Encouraging joint responsibility of men and boys with women and girls in the promotion of gender equality and the empowerment of women, based on the conviction that this is essential to the achievement of the goals of gender equality and the empowerment of women, development and peace;

(*t*) Removing structural and legal barriers, as well as eliminating stereotypic attitudes, to gender equality at work, promoting equal pay for equal work or work of equal value and promoting the recognition of the value of women's unremunerated work, as well as developing and promoting policies that facilitate the reconciliation of employment and family responsibilities;

8. *Reaffirms* that States have an obligation to exercise due diligence to prevent violence against women and girls, provide protection to the victims and investigate, prosecute and punish the perpetrators of violence against women and girls, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms, and calls upon Governments to elaborate and implement laws and strategies to eliminate violence against women and girls;

9. *Welcomes* the adoption of Security Council resolution 1820 (2008) on 19 June 2008;

10. *Calls upon* Governments, in this regard, to promote awareness and information campaigns on women's rights and the responsibility to respect them, including in rural areas, and to encourage men and boys to speak out strongly against violence against women;

11. *Strongly encourages* Governments to continue to support the role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

12. *Resolves* to intensify the efforts of its Main Committees and subsidiary bodies to fully mainstream a gender perspective in their work, including by paying more attention to issues related to the status of women under their consideration and within their mandates, as well as in all United Nations summits, conferences and special sessions and in their follow-up processes;

13. *Requests* that reports of the Secretary-General submitted to the General Assembly and its subsidiary bodies systematically address gender perspectives through qualitative gender analysis and, where available, quantitative data, in particular through concrete conclusions and recommendations for further action on gender equality and the advancement of women, in order to facilitate gender-sensitive policy development;

14. *Urges* Governments and all entities of the United Nations system, including United Nations agencies, funds and programmes, and all relevant actors of civil society, to ensure the integration of gender perspectives in the implementation of and follow-up to all United Nations summits, conferences and special sessions and to give attention to gender perspectives in preparation for such events, including the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus in Doha in 2008;

15. *Reaffirms its call* to include a gender perspective in the consideration of all issues in the agenda and activities of the Peacebuilding Commission and the Human Rights Council;

16. *Encourages* the Economic and Social Council to continue its efforts to ensure that gender mainstreaming is an integral part of its work and that of its subsidiary bodies, through, inter alia, implementation of its agreed conclusions 1997/2 of 18 July 1997[128] and its resolution 2004/4 of 7 July 2004;

17. *Welcomes* the ministerial declaration of the high-level segment of the substantive session of 2008 of the

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[128] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1), chap. IV, para. 4.

Economic and Social Council,[129] which, inter alia, reaffirmed the commitment to promoting gender equality and the empowerment of women, recognizing that they are key actors in development, and to identifying and accelerating concrete actions towards that end;

18. *Requests* all bodies that deal with programme and budgetary matters, including the Committee for Programme and Coordination, to ensure that programmes, plans and budgets visibly mainstream gender perspectives;

19. *Reaffirms* the primary and essential role of the General Assembly and the Economic and Social Council, as well as the central role of the Commission on the Status of Women, in promoting the advancement of women and gender equality;

20. *Requests* the Economic and Social Council to continue to encourage its functional commissions to mainstream a gender perspective in their respective follow-up actions to major United Nations conferences and summits and to develop more effective means to ensure the implementation of outcomes on gender equality at the national level, including through increased consultation with the Commission on the Status of Women;

21. *Underlines* the catalytic role played by the Commission on the Status of Women, as well as the important role played by the Economic and Social Council and the General Assembly, in promoting and monitoring gender mainstreaming within the United Nations system;

22. *Requests* that the entities of the United Nations system systematically incorporate the outcomes of the Commission on the Status of Women into their work within their mandates, inter alia, to ensure effective support for the efforts of Member States towards the achievement of gender equality and the empowerment of women;

23. *Reaffirms* the commitment made at the 2005 World Summit to the full and effective implementation of Security Council resolution 1325 (2000) of 31 October 2000, while noting the eighth anniversary of its adoption and the open debates in the Council on women and peace and security, and encourages Governments to ensure systematic attention to, recognition of and support for the role of women in the prevention and resolution of conflicts and in peacebuilding efforts;

24. *Urges* Governments and the United Nations system to take further steps to ensure the integration of a gender perspective and the full and equal participation of women in all efforts to promote peace and security, including in peace negotiations, peacekeeping, peacebuilding and post-conflict situations, as well as to increase their role in decision-making at all levels, including through the development of national action plans and strategies;

25. *Calls upon* all parts of the United Nations system to continue to play an active role in ensuring the full, effective and accelerated implementation of the Beijing Platform for Action and the outcome of the twenty-third special session, through, inter alia, the work of the Office of the Special Adviser on Gender Issues and Advancement of Women and the Division for the Advancement of Women and the maintenance of gender specialists in all entities of the United Nations system, as well as by ensuring that all personnel, especially in the field, receive training and appropriate follow-up, including tools, guidance and support, for accelerated gender mainstreaming, and reaffirms the need to strengthen the capabilities of the United Nations system in the area of gender;

26. *Requests* the Secretary-General to review and redouble his efforts to make progress towards achieving the goal of 50/50 gender balance at all levels in the Secretariat and throughout the United Nations system, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, considering, in particular, women from developing and least developed countries, from countries with economies in transition and from unrepresented or largely underrepresented Member States, and to ensure managerial and departmental accountability with respect to gender balance targets, and strongly encourages Member States to identify and regularly submit more women candidates for appointment to positions in the United Nations system, especially at more senior and policymaking levels;

27. *Encourages* the subsidiary bodies of the General Assembly to incorporate gender-equality perspectives systematically in their discussions and outcomes, including through effective use of the analysis, data and recommendations contained in reports of the Secretary-General, and to follow up on the outcomes;

28. *Requests* that reports of the Secretary-General submitted to the General Assembly facilitate gender-sensitive policy development by more systematically including qualitative gender analysis, data and recommendations for further action;

29. *Calls upon* the United Nations system to continue its efforts towards achieving the goal of gender balance, including with the active support of gender focal points, and requests the Secretary-General to provide an oral report to the Commission on the Status of Women at its fifty-third and fifty-fourth sessions, to report to the General Assembly on a biennial basis, beginning at its sixty-fifth session, under the item entitled "Advancement of women", and to include in his report on human resources management information on the status of women in the United Nations system, including on progress made and obstacles encountered in achieving gender balance,

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[129] See A/63/3, chap. IV, sect. F, para. 119. For the final text, see *Official Records of the General Assembly, Sixty-third Session, Supplement No. 3.*

recommendations for accelerating progress, and up-to-date statistics, including the number and percentage of women and their functions and nationalities throughout the United Nations system, and information on the responsibility and accountability of the Office of Human Resources Management of the Secretariat and the secretariat of the United Nations System Chief Executives Board for Coordination for promoting gender balance;

30. *Requests* the Secretary-General to continue to report annually to the General Assembly under the item entitled "Advancement of women", as well as to the Commission on the Status of Women and the Economic and Social Council, on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, with an assessment of progress in gender mainstreaming, including information on key achievements, lessons learned and good practices, and recommendations on further measures to enhance implementation.

RESOLUTION 63/160

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/435/Add.1, para. 13),[130] by a recorded vote of 121 to 7, with 58 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Albania, Andorra, Argentina, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu

63/160. Report of the Human Rights Council

The General Assembly,

Having considered the recommendations contained in the report of the Human Rights Council,[131]

Takes note of the report of the Human Rights Council,[131] and acknowledges the recommendations contained therein.

RESOLUTION 63/161

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/427, para. 10)[132]

63/161. Indigenous issues

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to indigenous issues,

Recalling also that the Assembly proclaimed, in its resolution 59/174 of 20 December 2004, the Second International Decade of the World's Indigenous People,

Bearing in mind that the Assembly adopted, by its resolution 61/295 of 13 September 2007, the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling that, at previous sessions of the Assembly, constructive dialogues were held with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people,

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[130] The draft resolution recommended in the report was sponsored in the Committee by: Costa Rica, Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), Mauritius (on behalf of the States Members of the United Nations that are members of the Group of African States) and Russian Federation.

[131] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53); and ibid., *Supplement No. 53A* (A/63/53/Add.1).

[132] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda, Argentina, Armenia, Australia, Barbados, Belize, Benin, Bolivia, Brazil, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Denmark, Dominica, Dominican Republic, Ecuador, Estonia, Finland, France, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iraq, Madagascar, Mexico, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Republic of Moldova, Slovenia, Spain, Suriname, Sweden, Timor-Leste, United States of America and Uruguay.

1. *Requests* the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people to report on the implementation of his mandate to the General Assembly at its sixty-fourth session;

2. *Requests* the Secretary-General, in consultation with Member States, relevant United Nations organizations and mechanisms and other stakeholders, including indigenous organizations, to submit to the Assembly at its sixty-fifth session a midterm assessment report that evaluates progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People;

3. *Decides* to adjust the mandate of the United Nations Voluntary Fund for Indigenous Populations so as to facilitate the participation of representatives of indigenous peoples' organizations in the expert mechanism established in accordance with Human Rights Council resolution 6/36 of 14 December 2007.[133]

RESOLUTION 63/162

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/428, para. 31),[134] by a recorded vote of 129 to 2, with 54 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Marshall Islands, United States of America

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guinea-Bissau, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland

63/162. Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[135] the International Covenant on Civil and Political Rights,[136] the International Convention on the Elimination of All Forms of Racial Discrimination[137] and other relevant human rights instruments,

Recalling the provisions of Commission on Human Rights resolutions 2004/16 of 16 April 2004[138] and 2005/5 of 14 April 2005,[139] and relevant Human Rights Council resolutions, in particular resolution 7/34 of 28 March 2008,[140] as well as General Assembly resolutions 60/143 of 16 December 2005, 61/147 of 19 December 2006 and 62/142 of 18 December 2007 on this issue and resolutions 61/149 of 19 December 2006 and 62/220 of 22 December 2007, both entitled "Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action",

Recalling also the Charter of the Nuremberg Tribunal and the Judgement of the Tribunal, which recognized, inter alia, the SS organization and all its integral parts, including the Waffen SS, as criminal and declared it responsible for many war crimes and crimes against humanity,

Recalling further the relevant provisions of the Durban Declaration and Programme of Action adopted by the World

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[133] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[134] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Belarus, Benin, Cape Verde, Côte d'Ivoire, Cuba, Dominican Republic, Ethiopia, Iraq, Kazakhstan, Kyrgyzstan, Myanmar, Namibia, Nicaragua, Nigeria, Russian Federation, South Africa, Sudan, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of) and Zimbabwe.

[135] Resolution 217 A (III).

[136] See resolution 2200 A (XXI), annex.

[137] United Nations, *Treaty Series*, vol. 660, No. 9464.

[138] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[139] Ibid., *2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[140] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[141] in particular paragraph 2 of the Declaration and paragraph 86 of the Programme of Action,

Recalling equally the study undertaken by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[142] and taking note of his report,[143]

Alarmed, in this regard, at the spread in many parts of the world of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups,

1. *Reaffirms* the provision of the Durban Declaration[141] in which States condemned the persistence and resurgence of neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial and national prejudice and stated that those phenomena could never be justified in any instance or in any circumstances;

2. *Expresses deep concern* about the glorification of the Nazi movement and former members of the Waffen SS organization, including by erecting monuments and memorials and holding public demonstrations in the name of the glorification of the Nazi past, the Nazi movement and neo-Nazism, as well as by declaring or attempting to declare such members and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement as participants in national liberation movements;

3. *Expresses concern* at recurring attempts to desecrate or demolish monuments erected in remembrance of those who fought against Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and urges States in this regard to fully comply with their relevant obligations, inter alia, under article 34 of Additional Protocol I to the Geneva Conventions of 1949;[144]

4. *Notes with concern* the increase in the number of racist incidents in several countries and the rise of skinhead groups, which have been responsible for many of these incidents, as well as the resurgence of racist and xenophobic violence targeting members of ethnic, religious or cultural communities and national minorities, as observed by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in his latest report;[143]

5. *Reaffirms* that such acts may be qualified to fall within the scope of activities described in article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[137] and that they may represent a clear and manifest abuse of the rights to freedom of peaceful assembly and of association as well as the rights to freedom of opinion and expression within the meaning of those rights as guaranteed by the Universal Declaration of Human Rights,[135] the International Covenant on Civil and Political Rights[136] and the International Convention on the Elimination of All Forms of Racial Discrimination;

6. *Stresses* that the practices described above do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and those who fought against the anti-Hitler coalition or collaborated with the Nazi movement, and poison the minds of young people, and that those practices are incompatible with the obligations of States Members of the United Nations under its Charter and are incompatible with the goals and principles of the Organization;

7. *Also stresses* that such practices fuel contemporary forms of racism, racial discrimination, xenophobia and related intolerance and contribute to the spread and multiplication of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups;

8. *Emphasizes* the need to take the necessary measures to put an end to the practices described above, and calls upon States to take more effective measures in accordance with international human rights law to combat those phenomena and the extremist movements, which pose a real threat to democratic values;

9. *Reaffirms* that, according to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, States parties to that instrument are, inter alia, under the obligation:

(*a*) To condemn all propaganda and all organizations that are based on ideas of racial superiority or that attempt to justify or promote racial hatred and discrimination in any form;

(*b*) To undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention;

(*c*) To declare as an offence punishable by law all dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(*d*) To declare illegal and prohibit organizations and organized and all other propaganda activities that promote and incite racial discrimination and to recognize participation in such organizations or activities as an offence punishable by law;

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[141] See A/CONF.189/12 and Corr.1, chap. I.

[142] E/CN.4/2006/16 and Add.1, Add.2 and Corr.1 and Add.3 and 4.

[143] See A/63/339.

[144] United Nations, *Treaty Series*, vol. 1125, No. 17512.

(*e*) To prohibit public authorities or public institutions, national or local, from promoting or inciting racial discrimination;

10. *Encourages* those States that have made reservations to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination to give serious consideration to withdrawing such reservations as a matter of priority;

11. *Recalls* the request of the Commission on Human Rights in its resolution 2005/5[139] that the Special Rapporteur continue to reflect on this issue, make relevant recommendations in his future reports and seek and take into account in this regard the views of Governments and non-governmental organizations;

12. *Requests* the Special Rapporteur to prepare, within existing resources, for submission to the General Assembly at its sixty-fourth session and the Human Rights Council, reports on the implementation of the present resolution based on the views collected in accordance with the request of the Commission on Human Rights, as recalled by the Assembly in paragraph 11 above;

13. *Urges* Governments and non-governmental organizations to cooperate fully with the Special Rapporteur in the exercise of the aforementioned tasks;

14. *Decides* to remain seized of the issue.

RESOLUTION 63/163

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/429, para. 19)[145]

63/163. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[146] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its sixty-first[147] and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 62/144 of 18 December 2007,

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, and recalling its resolution 60/1 of 16 September 2005, containing the 2005 World Summit Outcome, which, inter alia, upheld the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General,[148]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the

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[145] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Armenia, Azerbaijan, Bahrain, Bangladesh, Benin, Brunei Darussalam, Cameroon, Central African Republic, China, Comoros, Congo, Egypt, Eritrea, Guinea, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Malaysia, Mali, Namibia, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, Somalia, South Africa, Thailand, Uganda and United Arab Emirates.

[146] Resolution 2200 A (XXI), annex.

[147] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[148] A/63/254.

brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Human Rights Council to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on the question to the General Assembly at its sixty-fourth session under the item entitled "Right of peoples to self-determination".

RESOLUTION 63/164

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/429, para. 19),[149] by a recorded vote of 125 to 52, with 5 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Chile, Fiji, New Zealand, Switzerland, Tonga

63/164. Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling all of its previous resolutions on the subject, including resolution 62/145 of 18 December 2007, and Human Rights Council resolution 7/21 of 28 March 2008,[150] as well as all resolutions adopted by the Commission on Human Rights in this regard,

Recalling also all of its relevant resolutions in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the elimination of mercenarism in Africa,[151] as well as by the African Union,[152]

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or of the threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right freely to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter,

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[149] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Belarus, Benin, Bolivia, China, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Honduras, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Myanmar, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Peru, Russian Federation, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe.

[150] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[151] United Nations, *Treaty Series*, vol. 1490, No. 25573.

[152] On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[153]

Alarmed and concerned at the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from criminal mercenary activities,

Extremely alarmed and concerned about recent mercenary activities in Africa and other places and the threat they pose to the integrity of and respect for the constitutional order of those countries,

Concerned by the new modalities of mercenarism, and noting that the recruitment of former military personnel and ex-policemen by private military and private security companies to serve in their employ as "security guards" in zones of armed conflict seems to be continuing,

Convinced that, notwithstanding the way in which they are used or the form that they take to acquire some semblance of legitimacy, mercenaries or mercenary-related activities are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of all human rights by peoples,

1. *Takes note with appreciation* of the report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination,[154] and expresses its appreciation for the work of the experts of the Working Group;

2. *Reaffirms* that the use of mercenaries and their recruitment, financing and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers, inter alia, encourage the demand for mercenaries on the global market;

4. *Urges once again* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to impede the right of peoples to self-determination, to destabilize or overthrow the Government of any State or to dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

5. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries, including nationals, by private companies offering international military consultancy and security services, as well as to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *Encourages* States that import the military assistance, consultancy and security services provided by private companies to establish regulatory national mechanisms for the registering and licensing of those companies in order to ensure that imported services provided by those private companies neither impede the enjoyment of human rights nor violate human rights in the recipient country;

7. *Calls upon* all States that have not yet done so to consider taking the necessary action to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;[155]

8. *Welcomes* the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

9. *Condemns* mercenary activities in Africa and commends the Governments of Africa on their collaboration in thwarting those illegal actions, which have posed a threat to the integrity of and respect for the constitutional order of those countries and the exercise of the right of their peoples to self-determination, and stresses the importance for the Working Group of looking into sources and root causes, as well as the political motivations of mercenaries and for mercenary-related activities;

10. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with domestic law and applicable bilateral or international treaties;

11. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their obligations under international law, to bring them, without distinction, to justice;

12. *Calls upon* Member States, in accordance with their obligations under international law, to cooperate with and assist the judicial prosecution of those accused of mercenary activities in transparent, open and fair trials;

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[153] Resolution 2625 (XXV), annex.

[154] See A/63/325.

[155] United Nations, *Treaty Series*, vol. 2163, No. 37789.

13. *Requests* the Working Group to continue the work already done by the previous Special Rapporteurs on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur in his report to the Commission on Human Rights at its sixtieth session,[156] including the elaboration and presentation of concrete proposals on possible complementary and new standards aimed at filling existing gaps, as well as general guidelines or basic principles encouraging the further protection of human rights, in particular the right of peoples to self-determination, while facing current and emergent threats posed by mercenaries or mercenary-related activities;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

15. *Welcomes* the convening in Panama on 17 and 18 December 2007 of the regional governmental consultation for Latin American and Caribbean States on traditional and new forms of mercenary activities as a means of violating human righs and impeding the exercise of the right of peoples to self-determination, in particular regarding the effects of the activities of private military and security companies on the enjoyment of human rights;

16. *Requests* the Office of the High Commissioner to inform the Human Rights Council, in a timely manner, of the dates and places for the convening of the other regional governmental consultations on this matter, bearing in mind that this process may lead to the holding of a high-level round table of States, under the auspices of the United Nations, to discuss the fundamental question of the role of the State as holder of the monopoly of the use of force, with the objective of facilitating a critical understanding of the responsibilities of the different actors, including private military and security companies, in the current context, and their respective obligations for the promotion and protection of human rights and in reaching a common understanding as to which additional regulations and controls are needed at the international level;

17. *Requests* the Working Group to continue to take into account, in the discharge of its mandate, the fact that mercenary activities continue to occur in many parts of the world and are taking on new forms, manifestations and modalities, and in this regard requests its members to continue to pay particular attention to the impact of the activities of private companies offering military assistance, consultancy and security services on the international market on the enjoyment of human rights and the exercise of the right of peoples to self-determination;

18. *Urges* all States to cooperate fully with the Working Group in the fulfilment of its mandate;

19. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Working Group with all the necessary assistance and support for the fulfilment of its mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

20. *Requests* the Working Group to consult States and intergovernmental and non-governmental organizations in the implementation of the present resolution and to report, with specific recommendations, to the General Assembly at its sixty-fourth session its findings on the use of mercenaries to undermine the enjoyment of all human rights and to impede the exercise of the right of peoples to self-determination;

21. *Decides* to consider at its sixty-fourth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

RESOLUTION 63/165

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/429, para. 19),[157] by a recorded vote of 173 to 5, with 7 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize,

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[156] See E/CN.4/2004/15, para. 47.

[157] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cape Verde, Central African Republic, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Monaco, Montenegro, Morocco, Myanmar, Namibia, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe and Palestine.

Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining: Australia, Cameroon, Canada, Fiji, Nauru, Tonga, Vanuatu

63/165. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970 entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[158] the Universal Declaration of Human Rights,[159] the Declaration on the Granting of Independence to Colonial Countries and Peoples[160] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[161]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[162]

Recalling also the United Nations Millennium Declaration,[163]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[164] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[165]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[166]

Expressing the urgent need for the resumption of negotiations within the Middle East peace process on its agreed basis and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

Stressing the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling its resolution 62/146 of 18 December 2007,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

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[158] Resolution 2200 A (XXI), annex.

[159] Resolution 217 A (III).

[160] Resolution 1514 (XV).

[161] A/CONF.157/24 (Part I), chap. III.

[162] See resolution 50/6.

[163] See resolution 55/2.

[164] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[165] See A/ES-10/273 and Corr.1, advisory opinion, para. 88; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[166] See A/ES-10/273 and Corr.1, advisory opinion, para. 122; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

RESOLUTION 63/166

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.1, para. 17)[167]

63/166. Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming that no one shall be subjected to torture or to other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of international or internal armed conflict or disturbance, and that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments,

Recalling also that the prohibition of torture is a peremptory norm of international law and that international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[168] without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment, and of abiding strictly by the definition of torture contained in article 1 of the Convention,

Noting that under the Geneva Conventions of 1949[169] torture and inhuman treatment are a grave breach and that under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court[170] acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Acknowledging the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance in its resolution 61/177 of 20 December 2006, and recognizing that its entry into force as soon as possible and its implementation will make a significant contribution to the prevention of torture, including by prohibiting places of secret detention,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and the considerable network of centres for the rehabilitation of victims of torture, to combat torture and to alleviate the suffering of victims of torture,

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities,[171] which reaffirms that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat torture and other cruel, inhuman or degrading treatment or punishment, and stresses that all acts of torture must be made offences under domestic criminal law;

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[167] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela (Bolivarian Republic of).

[168] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[169] Ibid., vol. 75, Nos. 970–973.

[170] Ibid., vol. 2187, No. 38544.

[171] Resolution 61/106, annex I.

3. *Welcomes* the establishment of national preventive mechanisms to prevent torture and encourages all States that have not yet done so to establish such mechanisms, and calls upon States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[172] to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms for the prevention of torture;

4. *Emphasizes* the importance of States' ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

5. *Condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions;

6. *Stresses* that all allegations of torture or other cruel, inhuman or degrading treatment or punishment must be promptly and impartially examined by the competent domestic authority, and that those who encourage, order, tolerate or perpetrate such acts must be held responsible, brought to justice and punished in a manner commensurate with the severity of the offence, including the officials in charge of the place of detention where the prohibited act is found to have been committed;

7. *Takes note* in this respect of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[173] as a useful tool in efforts to prevent and combat torture and of the updated set of principles for the protection of human rights through action to combat impunity;[174]

8. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training of personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

9. *Also calls upon* all States to adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to violence against women and girls;

10. *Calls upon* States to ensure that the rights of persons with disabilities, bearing in mind the Convention on the Rights of Persons with Disabilities,[171] are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur in this regard;

11. *Encourages* all States to ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty;

12. *Emphasizes* that acts of torture in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished;

13. *Strongly urges* States to ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made;

14. *Stresses* that States must not punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

15. *Urges* States not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

16. *Recalls* that, for the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights;

17. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[168] to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, and encourages other States to do likewise, bearing in mind the need to fight impunity;

18. *Stresses* that national legal systems must ensure that victims of torture and other cruel, inhuman or degrading

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[172] Resolution 57/199, annex.

[173] Resolution 55/89, annex.

[174] See E/CN.4/2005/102/Add.1.

treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social and medical rehabilitation, urges States to take effective measures to this end, and in this regard encourages the development of rehabilitation centres;

19. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer in person and permitting prompt and regular medical care and legal counsel as well as visits by family members and independent monitoring mechanisms are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

20. *Reminds* all States that prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person;

21. *Notes* the concerns about solitary confinement expressed in the interim report of the Special Rapporteur,[175] and highlights the importance of reflecting on this in efforts to promote respect for and protection of the rights of detainees;

22. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export and use of equipment that is specifically designed to inflict torture or other cruel, inhuman or degrading treatment or punishment;

23. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority, and calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention;

24. *Invites* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 of the Convention concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20 of the Convention and to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention with a view to enhancing the effectiveness of the Committee against Torture as soon as possible;

25. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles and persons with disabilities when submitting reports to the Committee;

26. *Welcomes* the work of the Committee and its report submitted in accordance with article 24 of the Convention,[176] recommends that the Committee continue to include information on the follow-up by States to its recommendations, and supports the Committee in its intention to further improve the effectiveness of its working methods;

27. *Invites* the Chairpersons of the Committee and the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its sixty-fourth session under the sub-item entitled "Implementation of human rights instruments";

28. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

29. *Notes with appreciation* the interim report of the Special Rapporteur,[175] and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations;

30. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts;

31. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the Special Rapporteur, to fully and expeditiously respond to and follow up his urgent appeals, to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries as well as with respect to the follow-up to his recommendations;

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[175] See A/63/175.

[176] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 44* (A/63/44).

32. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with regional organizations and mechanisms, as appropriate, and civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

33. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

34. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds and to include the Funds on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

35. *Also requests* the Secretary-General to submit to the Human Rights Council and to the General Assembly at its sixty-fourth session a report on the operations of the Funds;

36. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture;

37. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

38. *Decides* to consider at its sixty-fourth session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee against Torture and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

RESOLUTION 63/167

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.1, para. 17)[177] by a recorded vote of 128 to 55, with 2 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Brazil, Cape Verde

63/167. Equitable geographical distribution in the membership of the human rights treaty bodies

The General Assembly,

Recalling its previous resolutions on this question,

Reaffirming the importance of the goal of universal ratification of the United Nations human rights instruments,

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[177] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Bangladesh, Belarus, Belize, Benin, Bolivia, Burundi, Chad, China, Côte d'Ivoire, Cuba, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Honduras, India, Indonesia, Iran (Islamic Republic of), Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Myanmar, Namibia, Nicaragua, Nigeria, Pakistan, Qatar, Russian Federation, Rwanda, Saudi Arabia, Sierra Leone, Solomon Islands, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

Welcoming the significant increase in the number of ratifications of United Nations human rights instruments, which has especially contributed to their universality,

Reiterating the importance of the effective functioning of treaty bodies established pursuant to United Nations human rights instruments for the full and effective implementation of those instruments,

Recalling that, with regard to the election of the members of the human rights treaty bodies, the General Assembly as well as the Commission on Human Rights recognized the importance of giving consideration in their membership to equitable geographical distribution, gender balance and representation of the principal legal systems and of bearing in mind that the members shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights,

Reaffirming the significance of national and regional particularities and various historical, cultural and religious backgrounds, as well as of different political, economic and legal systems,

Recognizing that the United Nations pursues multilingualism as a means of promoting, protecting and preserving diversity of languages and cultures globally and that genuine multilingualism promotes unity in diversity and international understanding,

Recalling that the General Assembly as well as the Commission on Human Rights encouraged States parties to United Nations human rights treaties, individually and through meetings of States parties, to consider how to give better effect, inter alia, to the principle of equitable geographical distribution in the membership of treaty bodies,

Expressing concern at the regional imbalance in the current composition of the membership of some of the human rights treaty bodies,

Noting in particular that the status quo tends to be particularly detrimental to the election of experts from some regional groups,

Convinced that the goal of equitable geographical distribution in the membership of human rights treaty bodies is perfectly compatible and can be fully realized and achieved in harmony with the need to ensure gender balance and the representation of the principal legal systems in those bodies and the high moral character, acknowledged impartiality and recognized competence in the field of human rights of their members,

1. *Encourages* the States parties to the United Nations human rights instruments to consider and adopt concrete actions, inter alia, the possible establishment of quota distribution systems by geographical region for the election of the members of the treaty bodies, thereby ensuring the paramount objective of equitable geographical distribution in the membership of those human rights bodies;

2. *Calls upon* the States parties to the United Nations human rights instruments to include in their work a debate on ways and means to ensure equitable geographical distribution in the membership of the human rights treaty bodies, based on previous recommendations of the Commission on Human Rights and the Economic and Social Council and the provisions of the present resolution;

3. *Recommends*, when considering the possible establishment of a quota by region for the election of the membership of each treaty body, the introduction of flexible procedures that encompass the following criteria:

(*a*) Each of the five regional groups established by the General Assembly must be assigned a quota of the membership of each treaty body in equivalent proportion to the number of States parties to the instrument that it represents;

(*b*) There must be provision for periodic revisions that reflect the relative changes in the geographical distribution of States parties;

(*c*) Automatic periodic revisions should be envisaged in order to avoid amending the text of the instrument when the quotas are revised;

4. *Stresses* that the process needed to achieve the goal of equitable geographical distribution in the membership of human rights treaty bodies can contribute to raising awareness of the importance of gender balance, the representation of the principal legal systems and the principle that the members of the treaty bodies shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights;

5. *Requests* the chairpersons of the human rights treaty bodies to consider at their next meeting the content of the present resolution and to submit, through the United Nations High Commissioner for Human Rights, specific recommendations for the achievement of the goal of equitable geographical distribution in the membership of the human rights treaty bodies;

6. *Requests* the High Commissioner to submit concrete recommendations on the implementation of the present resolution to the General Assembly at its sixty-fourth session;

7. *Decides* to continue its consideration of the question at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/168

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[178] by a recorded vote of 106 to 46, with 34 abstentions, as follows:

In favour: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of)

Against: Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Comoros, Democratic People's Republic of Korea, Dominica, Egypt, Grenada, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Maldives, Mongolia, Myanmar, Nigeria, Pakistan, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Solomon Islands, Sudan, Swaziland, Syrian Arab Republic, Thailand, Tonga, Trinidad and Tobago, Uganda, United States of America, Yemen, Zimbabwe

Abstaining: Bahrain, Belarus, Bhutan, Cameroon, Central African Republic, Cuba, Djibouti, Eritrea, Fiji, Gambia, Ghana, Guatemala, Guinea, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Malawi, Mauritania, Morocco, Niger, Oman, Papua New Guinea, Republic of Korea, Senegal, Sierra Leone, Suriname, Togo, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia

63/168. Moratorium on the use of the death penalty

The General Assembly,

Reaffirming its resolution 62/149 of 18 December 2007 on a moratorium on the use of the death penalty,

Welcoming the decisions taken by an increasing number of States to apply a moratorium on executions and the global trend towards the abolition of the death penalty,

1. *Welcomes* the report of the Secretary-General on the implementation of resolution 62/149,[179] and the conclusions and recommendations contained therein;

2. *Requests* the Secretary-General to provide a report on progress made in the implementation of resolution 62/149 and the present resolution, for consideration during its sixty-fifth session, and calls upon Member States to provide the Secretary-General with information in this regard;

3. *Decides* to continue consideration of the matter at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/169

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[180]

63/169. The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights

The General Assembly,

Reaffirming its commitment to the principles and purposes of the Charter of the United Nations and the Universal Declaration of Human Rights,[181]

Reaffirming the commitment of Member States, in accordance with the Charter, to promote and ensure the respect of human rights and fundamental freedoms, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

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[178] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu and Venezuela (Bolivarian Republic of).

[179] A/63/293 and Corr.1.

[180] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Canada, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Gabon, Japan, Gambia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Jordan, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Mongolia, Morocco, Netherlands, Norway, Oman, Panama, Poland, Portugal, Qatar, Republic of Moldova, Romania, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America.

[181] Resolution 217 A (III).

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights, welcomed by the General Assembly in its resolution 48/134 of 20 December 1993 and annexed thereto,

Recognizing the role of the existing Ombudsman, whether a male or female, mediator and other national human rights institutions in the promotion and protection of human rights and fundamental freedoms,

Underlining the importance of the autonomy and independence of the Ombudsman, mediator and other national human rights institutions, where they exist, in order to enable them to consider all issues related to the field of their competences,

Considering the role of the Ombudsman, mediator and other national human rights institutions in promoting good governance in public administrations, as well as improving their relations with citizens, and in strengthening the delivery of public services,

Considering also the important role of the existing Ombudsman, mediator and other national human rights institutions in contributing to the effective realization of the rule of law and respect for the principles of justice and equality,

Stressing that these institutions, where they exist, can have an important role in advising the Government with respect to bringing national legislation and national practices in line with their international human rights obligations,

Stressing also the importance of international cooperation in the field of human rights, and recalling the role played by regional and international associations of the Ombudsman, mediator and other national human rights institutions in promoting cooperation and sharing best practices,

1. *Encourages* Member States:

(*a*) To consider the creation or the strengthening of independent and autonomous Ombudsman, mediator and other national human rights institutions;

(*b*) To develop, where appropriate, mechanisms of cooperation between these institutions, where they exist, in order to coordinate their action, strengthen their achievements and enable the exchange of lessons learned;

2. *Also encourages* Member States:

(*a*) To consider conducting communication campaigns, with other relevant actors, in order to enhance public awareness on the importance of the role of the Ombudsman, mediator and other national human rights institutions;

(*b*) To give serious consideration to implementing the recommendations and proposals of their Ombudsman, mediator and other national human rights institutions, with the aim of addressing claims of the complainants, consistent with the principles of justice, equality and rule of law;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution;

4. *Decides* to consider this issue at its sixty-fifth session.

RESOLUTION 63/170

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[182]

63/170. Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also Commission on Human Rights resolution 1993/51 of 9 March 1993[183] and its subsequent resolutions in this regard, and Human Rights Council resolution 6/20 of 28 September 2007,[184]

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[185] which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

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[182] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Indonesia, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mongolia, Netherlands, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and Uruguay.

[183] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[184] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[185] A/CONF.157/24 (Part I), chap. III.

Recalling that the World Conference recommended that more resources should be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,

Reaffirming that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments,

Welcoming the fact that the Office of the High Commissioner has been systematically pursuing a regional and subregional approach through a variety of complementary means and methods, in order to maximize the impact of the activities of the United Nations at the national level, and that the Office intends to establish new regional offices,

1. *Welcomes* the continuing cooperation and assistance of the Office of the United Nations High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular through technical cooperation aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;

2. *Also welcomes*, in that respect, the close cooperation of the Office of the High Commissioner in the organization of regional and subregional training courses and workshops in the field of human rights, high-level governmental expert meetings and regional conferences of national human rights institutions;

3. *Recognizes*, therefore, that progress in promoting and protecting all human rights depends primarily on efforts made at the national and local levels, and that the regional approach should imply intensive cooperation and coordination with all partners involved, while bearing in mind the importance of international cooperation;

4. *Welcomes* the growing exchanges between the United Nations and the United Nations human rights treaty bodies, on the one hand, and regional organizations and institutions, such as the African Commission on Human and Peoples' Rights, the Community of Portuguese-speaking Countries, the Council of Europe, the Inter-American Commission on Human Rights, the International Organization of la Francophonie, the League of Arab States, the Organization for Security and Cooperation in Europe and other regional institutions, on the other;

5. *Also welcomes* the placement by the Office of the High Commissioner of regional representatives in subregions and in regional commissions;

6. *Further welcomes* the progress achieved in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and, in this regard, notes with interest:

(*a*) The increasing cooperation between the Office of the High Commissioner and African organizations and suborganizations, in particular the African Union, the Economic Community of Central African States, the Economic Community of West African States and the Southern African Development Community;

(*b*) The support provided by the Office of the High Commissioner to the African Union for the strengthening of the promotion and protection of human rights in Africa, and welcomes in this regard the establishment of the African Court on Human and Peoples' Rights;

(*c*) The convening of the fourteenth annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Bali, Indonesia, from 10 to 12 July 2007, which, inter alia, included a discussion on future challenges for the Regional Framework for the Promotion and Protection of Human Rights in the Asia-Pacific Region and adopted a comprehensive set of points for follow-up action entitled the "Bali Action Points";[186]

(*d*) The ongoing consultations among Governments aimed at the possible establishment of regional human rights arrangements held in the context of the Regional Framework, with the support and advice of national human rights institutions and civil society organizations of the Asia-Pacific region;

(*e*) The recent decision by the Association of the Southeast Asian Nations (ASEAN) to develop a mechanism for the promotion and protection of human rights;

(*f*) Activities undertaken within the framework of the regional project of the Office of the High Commissioner for the promotion and protection of human rights in the Latin American and Caribbean region and the strengthening of the cooperation between the Office of the High Commissioner, the Inter-American Commission on Human Rights and the Organization of American States;

(*g*) Ongoing initiatives to further develop arrangements for the promotion and protection of human rights by the Common Market of the South (MERCOSUR);

(*h*) Activities undertaken within the framework of cooperation between the Office of the High Commissioner and the League of Arab States;

(*i*) The continued cooperation towards the realization of universal standards between the Office of the High Commissioner and regional organizations in Europe and Central Asia, namely, the Council of Europe, and its various human rights bodies and mechanisms, the European Union and the

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[186] A/HRC/7/35, annex.

Organization for Security and Cooperation in Europe, in particular for activities at the country level;

7. *Invites* States in areas in which regional arrangements in the field of human rights do not yet exist to consider, with the support and advice of national human rights institutions and civil society organizations, concluding agreements with a view to establishing, within their respective regions, suitable regional machinery for the promotion and protection of human rights;

8. *Requests* the Secretary-General to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and to make available adequate resources from within the regular budget of technical cooperation to the activities of the Office of the High Commissioner to promote regional arrangements;

9. *Requests* the Office of the High Commissioner to continue to pay special attention to the most appropriate ways of assisting countries of the various regions, at their request, under the programme of technical cooperation and to make, where necessary, relevant recommendations, and in this regard welcomes the decision of the Office to strengthen national protection systems in accordance with action 2 of the reform programme of the Secretary-General;[187]

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights, formulating concrete proposals and recommendations on ways and means to strengthen cooperation between the United Nations and regional arrangements in the field of human rights, and to include therein the results of action taken in pursuance of the present resolution;

11. *Decides* to consider the question further at its sixty-fifth session.

RESOLUTION 63/171

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[188] by a recorded vote of 86 to 53, with 42 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bhutan, Bolivia, Brunei Darussalam, Cambodia, China, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Guinea, Guinea-Bissau, Guyana, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against: Andorra, Australia, Austria, Belgium, Belize, Bulgaria, Canada, Cape Verde, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Benin, Botswana, Brazil, Burkina Faso, Burundi, Central African Republic, Chile, Colombia, Congo, Costa Rica, Dominican Republic, Ecuador, Ghana, Grenada, Guatemala, Haiti, India, Japan, Kenya, Madagascar, Malawi, Mauritius, Mexico, Mongolia, Nauru, Nepal, Panama, Papua New Guinea, Paraguay, Peru, Rwanda, Saint Lucia, Timor-Leste, Tonga, Trinidad and Tobago, Tuvalu, United Republic of Tanzania, Uruguay, Vanuatu, Zambia

63/171. Combating defamation of religions

The General Assembly,

Reaffirming the pledge made by all States, under the Charter of the United Nations, to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to race, sex, language or religion,

Recalling the relevant international instruments on the elimination of discrimination, in particular the International Convention on the Elimination of All Forms of Racial Discrimination,[189] the International Covenant on Civil and Political Rights,[190] the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[191] the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live[192] and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[193]

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

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[187] See A/57/387 and Corr.1.

[188] The draft resolution recommended in the report was sponsored in the Committee by: Belarus, Uganda (on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference) and Venezuela (Bolivarian Republic of).

[189] United Nations, *Treaty Series*, vol. 660, No. 9464.

[190] See resolution 2200 A (XXI), annex.

[191] See resolution 36/55.

[192] Resolution 40/144, annex.

[193] Resolution 47/135, annex.

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council in this regard,

Welcoming the resolve expressed in the United Nations Millennium Declaration adopted by the General Assembly on 8 September 2000[194] to take measures to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies, and looking forward to its effective implementation at all levels,

Underlining in this regard the importance of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in 2001,[195] welcoming the progress achieved in implementing them, and emphasizing that they constitute a solid foundation for the elimination of all scourges and manifestations of racism, racial discrimination, xenophobia and related intolerance,

Expressing concern at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, as a result, inter alia, of the resurgence of activities of political parties and associations established on the basis of racist, xenophobic and ideological superiority platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Deeply alarmed at the rising trends towards discrimination based on religion or belief, including in some national policies, laws and administrative measures that stigmatize groups of people belonging to certain religions and beliefs under a variety of pretexts relating to security and irregular immigration, thereby legitimizing discrimination against them, and consequently impairing their enjoyment of the right to freedom of thought, conscience and religion, and impeding their ability to observe, practise and manifest their religion freely and without fear of coercion, violence or reprisal,

Noting with deep concern the serious instances of intolerance, discrimination and acts of violence based on religion or belief, intimidation and coercion motivated by extremism, religious or otherwise, occurring in many parts of the world, in addition to the negative projection of certain religions in the media and the introduction and enforcement of laws and administrative measures that specifically discriminate against and target persons with certain ethnic and religious backgrounds, particularly Muslim minorities following the events of 11 September 2001, and that threaten to impede their full enjoyment of human rights and fundamental freedoms,

Stressing that defamation of religions is a serious affront to human dignity leading to the illicit restriction of the freedom of religion of their adherents and incitement to religious hatred and violence,

Stressing also the need to effectively combat defamation of all religions, and incitement to religious hatred in general,

Reaffirming that discrimination on the grounds of religion or belief constitutes a violation of human rights and a disavowal of the principles of the Charter,

Noting with concern that defamation of religions, and incitement to religious hatred in general, could lead to social disharmony and violations of human rights, and alarmed at the inaction of some States to combat this burgeoning trend and the resulting discriminatory practices against adherents of certain religions,

Taking note of the reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance submitted to the Human Rights Council at its fourth and sixth sessions,[196] which draw attention to the serious nature of the defamation of all religions, and reiterating the call of the Special Rapporteur to all States to wage a systematic campaign against incitement to racial and religious hatred by maintaining a careful balance between the defence of secularism and respect for freedom of religion and by acknowledging and respecting the complementarity of all the freedoms embodied in internationally agreed human rights instruments, including the International Covenant on Civil and Political Rights,[190]

Recalling the proclamation of the Global Agenda for Dialogue among Civilizations,[197] and inviting States, the organizations and bodies of the United Nations system, within existing resources, other international and regional organizations and civil society to contribute to the implementation of the Programme of Action contained in the Global Agenda,

Welcoming the efforts of the Alliance of Civilizations initiative in promoting mutual respect and understanding among different cultures and societies, as well as the forthcoming second forum of the Alliance, to be held in Istanbul, Turkey, on 6 and 7 April 2009,

Convinced that respect for cultural, ethnic, religious and linguistic diversity, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of the different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards people belonging to different cultures, religions and beliefs generate hatred and violence among peoples and nations throughout the world,

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[194] See resolution 55/2.

[195] See A/CONF.189/12 and Corr.1, chap. I.

[196] A/HRC/4/19 and A/HRC/6/6.

[197] See resolution 56/6.

Recognizing the valuable contributions of all religions and beliefs to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of common values,

Underlining the important role of education in the promotion of tolerance, which involves acceptance by the public of, and its respect for, diversity, including with regard to religious expressions, and underlining also the fact that education should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Reaffirming the need for all States to continue their national and international efforts to enhance dialogue and broaden understanding among civilizations, cultures, religions and beliefs, and emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect for and freedom of religion and belief,

Welcoming all international and regional initiatives aimed at promoting cross-cultural and interfaith harmony, including the international dialogue on interfaith cooperation, and the World Conference on Dialogue, held in Madrid from 16 to 18 July 2008, and their valuable efforts towards the promotion of a culture of peace and dialogue at all levels, and taking note with appreciation of the programmes led by the United Nations Educational, Scientific and Cultural Organization in this regard,

Underlining the importance of increasing contacts at all levels in order to deepen dialogue and reinforce understanding among different cultures, religions, beliefs and civilizations, and in this regard taking note with appreciation of the Declaration and Programme of Action adopted by the Ministerial Meeting on Human Rights and Cultural Diversity of the Movement of Non-Aligned Countries, held in Tehran on 3 and 4 September 2007,[198]

Recalling its resolution 62/154 of 18 December 2007,

1. *Takes note* of the report of the Secretary-General[199] and the conclusions contained therein;

2. *Expresses deep concern* at the negative stereotyping of religions and manifestations of intolerance and discrimination in matters of religion or belief still evident in the world;

3. *Strongly deplores* all acts of psychological and physical violence and assaults, and incitement thereto, against persons on the basis of their religion or belief, and such acts directed against their businesses, properties, cultural centres and places of worship, as well as targeting of holy sites and religious symbols of all religions;

4. *Expresses deep concern* at the programmes and agendas pursued by extremist organizations and groups aimed at creating and perpetuating stereotypes about certain religions, in particular when condoned by Governments;

5. *Notes with deep concern* the intensification of the overall campaign of defamation of religions, and incitement to religious hatred in general, including the ethnic and religious profiling of Muslim minorities in the aftermath of the tragic events of 11 September 2001;

6. *Recognizes* that, in the context of the fight against terrorism, defamation of religions and incitement to religious hatred in general become aggravating factors that contribute to the denial of fundamental rights and freedoms of members of target groups, as well as their economic and social exclusion;

7. *Expresses deep concern* in this respect that Islam is frequently and wrongly associated with human rights violations and terrorism;

8. *Reiterates* the commitment of all States to the implementation, in an integrated manner, of the United Nations Global Counter-Terrorism Strategy, which was adopted without a vote by the General Assembly on 8 September 2006[200] and reaffirmed by the Assembly in its resolution 62/272 of 5 September 2008, and which clearly confirms, inter alia, that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group, stressing the need to reinforce the international community's commitment to promote a culture of peace, justice and human development, ethnic, national and religious tolerance, and respect for all religions, religious values, beliefs or cultures and prevent the defamation of religions;

9. *Deplores* the use of the print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination against any religion, as well as targeting of religious symbols;

10. *Emphasizes* that, as stipulated in international human rights law, everyone has the right to hold opinions without interference, and has the right to freedom of expression, the exercise of which carries with it special duties and responsibilities and may therefore be subject to limitations as are provided for by law and are necessary for respect of the rights or reputations of others, protection of national security or of public order, public health or morals;

11. *Reaffirms* that general recommendation XV (42) of the Committee on the Elimination of Racial Discrimination,[201] in which the Committee stipulated that the prohibition of the dissemination of all ideas based upon racial superiority or hatred

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[198] A/62/464, annex.

[199] A/63/365.

[200] Resolution 60/288.

[201] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

is compatible with freedom of opinion and expression, is equally applicable to the question of incitement to religious hatred;

12. *Welcomes* the work undertaken by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in accordance with their mandates defined by the Human Rights Council in its resolutions 7/34 and 7/36 of 28 March 2008;[202]

13. *Strongly condemns* all manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against national or ethnic, religious and linguistic minorities and migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges all States to apply and, where applicable, reinforce existing laws when such xenophobic or intolerant acts, manifestations or expressions occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

14. *Reaffirms* the obligation of all States to enact the necessary legislation to prohibit the advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and encourages States, in their follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,[195] to include aspects relating to national or ethnic, religious and linguistic minorities in their national plans of action and, in this context, to take forms of multiple discrimination against minorities fully into account;

15. *Invites* all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;[191]

16. *Urges* all States to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from defamation of religions, and incitement to religious hatred in general, to take all possible measures to promote tolerance and respect for all religions and beliefs and the understanding of their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance;

17. *Also urges* all States to ensure that all public officials, including members of law enforcement bodies, the military, civil servants and educators, in the course of their official duties, respect people regardless of their different religions and beliefs and do not discriminate against persons on the grounds of their religion or belief, and that any necessary and appropriate education or training is provided;

18. *Underscores* the need to combat defamation of religions, and incitement to religious hatred in general, by strategizing and harmonizing actions at the local, national, regional and international levels through education and awareness-raising, and urges all States to ensure equal access to education for all, in law and in practice, including access to free primary education for all children, both girls and boys, and access for adults to lifelong learning and education based on respect for human rights, diversity and tolerance, without discrimination of any kind, and to refrain from any legal or other measures leading to racial segregation in access to schooling;

19. *Calls upon* all States to exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights and humanitarian law, to ensure that religious places, sites, shrines and symbols are fully respected and protected, and to take additional measures in cases where they are vulnerable to desecration or destruction;

20. *Calls upon* the international community to foster a global dialogue to promote a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religion and belief, and urges States, non-governmental organizations, religious leaders and bodies and the print and electronic media to support and foster such a dialogue;

21. *Affirms* that the Human Rights Council shall promote universal respect for all religious and cultural values and address instances of intolerance, discrimination and incitement of hatred against members of any community or adherents of any religion, as well as the means to consolidate international efforts in order to combat impunity for such deplorable acts;

22. *Welcomes* the initiative by the United Nations High Commissioner for Human Rights on the recently held expert seminar on freedom of expression and advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, on 2 and 3 October 2008, and requests the High Commissioner to continue to build on this initiative, with a view to concretely contributing to the prevention and elimination of all such forms of incitement and the consequences of negative stereotyping of religions or beliefs, and their adherents, on the human rights of those individuals and their communities;

23. *Takes note* of the efforts of the High Commissioner for to promote and include human rights aspects in educational programmes, particularly the World Programme for Human Rights Education proclaimed by the General Assembly on 10 December 2004,[203] and calls upon the High Commissioner to continue those efforts, with particular focus on:

(*a*) The contributions of cultures, as well as religious and cultural diversity;

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[202] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[203] See resolutions 59/113 A and B.

(*b*) Collaboration with other relevant bodies of the United Nations system and regional and international organizations in holding joint conferences designed to encourage dialogue among civilizations and promote understanding of the universality of human rights and their implementation at various levels, in particular the Office of the United Nations High Representative for the Alliance of Civilizations and the unit within the Secretariat mandated to interact with various entities within the United Nations system and coordinate their contribution to the intergovernmental process;

24. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on the possible correlation between defamation of religions and the upsurge in incitement, intolerance and hatred in many parts of the world, to the General Assembly at its sixty-fourth session.

RESOLUTION 63/172

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[204]

63/172. National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its resolutions and those of the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles"),[205]

Reaffirming the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing the important role of the United Nations in assisting the development of independent and effective national human rights institutions, guided by the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation between the United Nations and those national institutions in the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[206] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Beijing Declaration and Platform for Action,[207] in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Recalling the programme of action adopted by national institutions, at their meeting held in Vienna in June 1993 during the World Conference on Human Rights,[208] for the promotion and protection of human rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

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[204] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Central African Republic, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mexico, Mongolia, Montenegro, Morocco, Netherlands, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and Venezuela (Bolivarian Republic of).

[205] Resolution 48/134, annex.

[206] A/CONF.157/24 (Part I), chap. III.

[207] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[208] See A/CONF.157/NI/6.

Noting the valuable role played and contributions made by national institutions in United Nations meetings dealing with human rights and the importance of their continued appropriate participation,

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

Taking note with appreciation of the reports of the Secretary-General to the Human Rights Council on national institutions for the promotion and protection of human rights[209] and on the accreditation process of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights,[210]

Noting with satisfaction the strengthening of the accreditation procedure of the International Coordinating Committee of National Institutions,

Noting with appreciation the continuing work of the regional human rights networks in Europe, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia Pacific Forum of National Human Rights Institutions and the Network of African National Human Rights Institutions,

Welcoming the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

1. *Takes note with appreciation* of the report of the Secretary-General;[211]

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles");[205]

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations for the promotion and protection of human rights;

5. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[206] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

6. *Also recognizes* that national institutions have a crucial role to play in promoting and ensuring the indivisibility and interdependence of all human rights, and calls upon States to ensure that all human rights are appropriately reflected in the mandate of their national human rights institutions when established;

7. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

8. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

9. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

10. *Recognizes* the role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism and the special procedures, as well as in the human rights treaty bodies, in accordance with Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007[212] and Commission on Human Rights resolution 2005/74 of 20 April 2005;[213]

11. *Notes with satisfaction* the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

12. *Acknowledges* the role of national institutions in the strengthening of the rule of law and the promotion and protection of human rights in all sectors, and encourages cooperation, where appropriate, with the United Nations system, international financial institutions, and non-governmental organizations;

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[209] A/HRC/7/69.

[210] A/HRC/7/70.

[211] A/63/486.

[212] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[213] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

13. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions;

14. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional voluntary funds to that end;

15. *Welcomes* the national institutions website[214] as an important vehicle for the delivery of information to national institutions and also the launch of a database of comparative analysis of procedures and methods of complaint-handling by national human rights institutions;

16. *Notes with appreciation* the increasingly active and important role of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in close cooperation with the Office of the High Commissioner, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

17. *Also notes with appreciation* the holding of regular meetings of the International Coordinating Committee of National Institutions and the arrangements for the participation of national human rights institutions in the sessions of the Human Rights Council;

18. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the International Coordinating Committee of National Institutions during the sessions of the Human Rights Council, in cooperation with the Office of the High Commissioner;

19. *Encourages* national institutions to seek accreditation status through the International Coordinating Committee of National Institutions, and notes with satisfaction the strengthening of the accreditation procedure and the continued assistance of the Office of the High Commissioner in this regard, as well as the assistance of the Office to the conferences of the International Coordinating Committee;

20. *Welcomes* the continuation of the practice of national institutions convening regional meetings in some regions, and its initiation in others, and encourages national institutions, in cooperation with the High Commissioner, to organize similar events with Governments and non-governmental organizations in their own regions;

21. *Requests* the Secretary-General to continue to provide the necessary assistance for holding international and regional meetings of national institutions;

22. *Recognizes* the important and constructive role that the judiciary, parliament and civil society can play, in cooperation with national institutions, for better promotion and protection of human rights;

23. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions;

24. *Encourages* all United Nations human rights mechanisms as well as agencies, funds and programmes to work within their respective mandates with Member States and national institutions in the promotion and protection of human rights with respect to, inter alia, projects in the area of good governance and rule of law, and in this regard welcomes the efforts made by the Office of the High Commissioner to develop partnerships in support of national institutions;

25. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RESOLUTION 63/173

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[215]

63/173. International Year of Human Rights Learning

The General Assembly,

Recalling that the purposes and principles contained in the Charter of the United Nations include promoting and encouraging respect for human rights and fundamental freedoms for all,

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[214] www.nhri.net.

[215] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda, Argentina, Armenia, Austria, Belize, Benin (on behalf of the States Members of the United Nations that are members of the Group of African States), Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Ecuador, El Salvador, France, Greece, Grenada, Guatemala, Haiti, Honduras, Hungary, Indonesia, Iraq, Ireland, Israel, Italy, Jordan, Lebanon, Lithuania, Oman, Panama, Philippines, Poland, Portugal, Qatar, Romania, Saint Vincent and the Grenadines, Saudi Arabia, Serbia, Slovenia, Spain, Suriname, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, United Arab Emirates and United States of America.

Recalling also its resolution 60/251 of 15 March 2006, in which it decided that the Human Rights Council should, inter alia, promote human rights education and learning as well as advisory services, technical assistance and capacity-building,

Recalling further the 2005 World Summit Outcome, in which Heads of State and Government expressed their support for the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education, as appropriate, and encouraged all States to develop initiatives in that regard,[216]

Recalling its resolution 62/171 of 18 December 2007, by which it proclaimed the year commencing on 10 December 2008 the International Year of Human Rights Learning,

Considering that the sixtieth anniversary of the Universal Declaration of Human Rights in 2008 is a suitable occasion for the United Nations to increase its efforts to promote a human rights culture worldwide through human rights learning as a way of life, at all levels,

Reaffirming the complementarities between the World Programme for Human Rights Education[217] and the International Year of Human Rights Learning,

Recognizing human rights learning as encompassing the acquisition and internalization of knowledge and understanding of one's own and others' human dignity,

Reaffirming that activities undertaken during the International Year of Human Rights Learning should broaden and deepen human rights learning on the basis of the principles of universality, indivisibility, interdependency, impartiality and objectivity, and on non-selectivity, constructive dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights and fundamental freedoms, bearing in mind the duty of the State, regardless of its political, economic or cultural system, to promote and protect all human rights and fundamental freedoms, and the significance of national and regional particularities and various historical, cultural and religious backgrounds,

Acknowledging that civil society, academia, the private sector, where appropriate, and parliamentarians can play an important role at the national, regional and international levels in the promotion and protection of human rights, including in the development of ways and means to promote and implement learning about human rights as a way of life at the community level,

1. *Reaffirms its conviction* that every woman, man, youth and child can realize his or her full human potential through learning about all human rights and fundamental freedoms, including the ability to act on that knowledge in order to ensure the effective realization of human rights and fundamental freedoms for all;

2. *Urges* Member States to develop throughout the International Year of Human Rights Learning and beyond, in coordination with civil society, the private sector, academia and parliamentarians and regional organizations, including the appropriate specialized agencies, funds and programmes of the United Nations system, international strategies and/or regional, national and local programmes of action aimed at broad-based and sustained human rights learning at all levels, bearing in mind the complementary efforts undertaken within the framework of the World Programme for Human Rights Education;[217]

3. *Calls upon* the United Nations High Commissioner for Human Rights and the Human Rights Council to support, cooperate and collaborate with civil society, the private sector, academia, regional organizations and other relevant stakeholders, as well as with organizations, programmes and funds of the United Nations system, in efforts to develop, in particular, the design of international strategies and/or regional, national and local programmes of action aimed at broad-based and sustained human rights learning for all, including seminars and workshops for community leaders, keeping in mind a long-term multi-year process involving several countries in all regions;

4. *Requests* the Secretary-General to include the implementation of the present resolution in the report to the General Assembly at its sixty-fourth session, in accordance with its resolution 62/171.

RESOLUTION 63/174

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[218]

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[216] See resolution 60/1, para. 131.

[217] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, resolution 6/24.

[218] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Armenia, Australia, Austria, Belarus, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Monaco, Montenegro, Netherlands, Nicaragua, Norway, Panama, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay.

63/174. Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, by which it adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities annexed to that resolution, and bearing in mind article 27 of the International Covenant on Civil and Political Rights[219] as well as other relevant existing international standards and national legislation,

Recalling also its subsequent resolutions on the effective promotion of the Declaration, as well as Human Rights Council resolutions 6/15 of 28 September 2007, by which the Council established the Forum on Minority Issues,[220] and 7/6 of 27 March 2008 on the mandate of the independent expert on minority issues,[221]

Noting that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contributes to political and social stability and peace and enriches the cultural diversity and heritage of society, as reaffirmed in the 2005 World Summit Outcome,[222]

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving them,

Expressing concern at the frequency and severity of disputes and conflicts involving persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that they often suffer disproportionately from the effects of conflict resulting in the violation of their human rights and are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by addressing economic and social conditions and marginalization, as well as to end any type of discrimination against them,

Emphasizing also the importance of human rights education, training and learning as well as of dialogue and interaction among all relevant stakeholders and members of society on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of society as a whole, including the sharing of best practices such as for the promotion of mutual understanding of minority issues, managing diversity by recognizing plural identities and promoting inclusive and stable societies as well as social cohesion therein,

Emphasizing further the important role that national institutions can play in the promotion and protection of rights of persons belonging to national or ethnic, religious and linguistic minorities as well as in early warning and awareness raising for problems regarding minority situations,

Acknowledging that the United Nations has an important role to play regarding the protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, taking due account of, and giving effect to, the Declaration,

1. *Reaffirms* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[223] and draws attention to the relevant provisions of the Durban Declaration and Programme of Action,[224] including the provisions on forms of multiple discrimination;

2. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the encouragement of conditions for the promotion of their identity, the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, without discrimination, and to apply a gender perspective while doing so;

3. *Urges* States to take, as appropriate, all necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in particular on the exchange of best practices and lessons learned, in accordance with the Declaration, in order to promote and protect the rights

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[219] See resolution 2200 A (XXI), annex.

[220] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[221] Ibid., chap. II.

[222] See resolution 60/1.

[223] Resolution 47/135, annex.

[224] See A/CONF.189/12 and Corr.1, chap. I.

of persons belonging to national or ethnic, religious and linguistic minorities;

4. *Welcomes* in this regard the initiative of the Office of the United Nations High Commissioner for Human Rights to organize, in cooperation with the International Labour Organization and the United Nations Office on Drugs and Crime, the expert meeting on integration with diversity in policing, held in Vienna on 15 and 16 January 2008, bringing together police service professionals of different regions and countries of the world in order to share good experiences and lessons learned in relation to the inclusion of persons belonging to national or ethnic, religious and linguistic minorities in law enforcement systems, and takes note of the ongoing work on the elaboration of the Office of the United Nations High Commissioner for Human Rights guidelines on integration with diversity in policing;[225]

5. *Encourages* States, in their follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to include aspects relating to persons belonging to national or ethnic, religious and linguistic minorities in their national plans of action and, in this context, to take forms of multiple discrimination fully into account;

6. *Commends* the independent expert on minority issues for the work that she has undertaken so far, for the important role that she has played in raising the level of awareness of, and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities and for her ongoing efforts to promote and protect their rights in order to ensure equitable development and peaceful and stable societies, including through close cooperation with Governments, the relevant United Nations bodies and mechanisms and non-governmental organizations, as provided for in Human Rights Council resolution 7/6;

7. *Calls upon* all States to cooperate with the independent expert in the performance of the tasks and duties mandated to her, and encourages the specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the mandate-holder;

8. *Takes note with appreciation* of the decision of the Human Rights Council to establish the Forum on Minority Issues,[220] which shall provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities as well as thematic contributions and expertise to the work of the independent expert on minority issues and identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration;

9. *Invites* States, United Nations mechanisms, bodies, the specialized agencies, funds and programmes, regional, intergovernmental and non-governmental organizations and national human rights institutions as well as academics and experts on minority issues to participate actively in the inaugural session of the Forum on Minority Issues, to be held in Geneva in December 2008, which will be dedicated to the subject of the rights of persons belonging to minorities and the right to education;

10. *Calls upon* the United Nations High Commissioner for Human Rights to promote, within her mandate, the implementation of the Declaration, to continue to engage in a dialogue with Governments for that purpose and to regularly update and disseminate widely the United Nations Guide for Minorities;

11. *Welcomes* the inter-agency consultation of the High Commissioner with United Nations agencies, funds and programmes on minority issues, and calls upon those agencies, funds and programmes to contribute actively to this process;

12. *Also welcomes* the cooperation of the independent expert on minority issues with United Nations agencies, funds and programmes, such as the United Nations Children's Fund, the United Nations Development Programme and the United Nations Educational, Scientific and Cultural Organization, in continuing their engagement with persons belonging to national or ethnic, religious and linguistic minorities in their work in all parts of the world;

13. *Requests* the High Commissioner to continue her efforts to improve coordination and cooperation among United Nations agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and to take the work of relevant regional organizations active in the field of human rights into account in her endeavours;

14. *Invites* the human rights treaty bodies, when considering reports submitted by States parties as well as special procedures of the Human Rights Council, to continue to give attention, within their respective mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities;

15. *Invites* the High Commissioner to continue to seek voluntary contributions to facilitate the effective participation of representatives of non-governmental organizations and persons belonging to national or ethnic, religious and linguistic minorities, in particular those from developing countries, in minority-related activities organized by the United Nations, particularly its human rights bodies, and in doing so to give particular attention to ensuring the participation of young people and women;

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[225] The report of the Office of the United Nations High Commissioner for Human Rights on the expert meeting on integration with diversity in policing is available at www2.ohchr.org/english/issues/minorities/seminar.htm.

16. *Invites* the independent expert on minority issues to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution;

17. *Decides* to continue consideration of the question at its sixty-fifth session under the item entitled "Human rights questions".

RESOLUTION 63/175

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[226]

63/175. Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[227] the International Covenant on Civil and Political Rights,[228] the International Covenant on Economic, Social and Cultural Rights,[228] the Convention on the Elimination of All Forms of Discrimination against Women,[229] the Convention on the Rights of the Child,[230] the International Convention on the Elimination of All Forms of Racial Discrimination,[231] the Convention on the Rights of Persons with Disabilities[232] and other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 62/205 of 19 December 2007, by which it proclaimed the Second United Nations Decade for the Eradication of Poverty (2008–2017), as well as its resolution 61/157 of 19 December 2006 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the effective understanding, promotion and protection of all human rights,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations, such as hunger, trafficking in human beings, disease, lack of adequate shelter, illiteracy and hopelessness, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

Deeply concerned also that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionally impacting women and girls,

Stressing that special attention should be given to children, persons with disabilities and indigenous peoples who are living in extreme poverty,

Concerned by the challenges faced today, including those derived from the food crisis, the energy crisis and the financial crisis, and by their impact on the increase in the number of people living in extreme poverty and their negative effect on the capacity of all States, especially developing countries, to fight extreme poverty,

Recalling Human Rights Council resolutions 2/2 of 27 November 2006,[233] 7/27 of 28 March 2008[234] and 8/11 of 18 June 2008,[235] as well as resolution 2006/9 of 24 August 2006 of the Subcommission on the Promotion and Protection of Human Rights,[236] and taking note of the annex thereto, containing the draft guiding principles on extreme poverty and human rights: the rights of the poor,

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[226] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

[227] Resolution 217 A (III).

[228] See resolution 2200 A (XXI), annex.

[229] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[230] Ibid., vol. 1577, No. 27531.

[231] Ibid., vol. 660, No. 9464.

[232] Resolution 61/106, annex I.

[233] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. A.

[234] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[235] Ibid., chap. III, sect. A.

[236] See A/HRC/Sub.1/58/L.11.

Welcoming the Summit of World Leaders for Action against Hunger and Poverty of 20 September 2004, convened in New York by the Presidents of Brazil, Chile and France and the Prime Minister of Spain with the support of the Secretary-General,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

Stressing the necessity of better understanding the causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Stressing that respect for all human rights, which are universal, indivisible, interdependent and interrelated, is of crucial importance for all policies and programmes to fight extreme poverty,

Reaffirming that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Reaffirms also* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty, and that it is essential for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic and social life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Reaffirms* that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

5. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

6. *Reaffirms* the commitments contained in the United Nations Millennium Declaration,[237] in particular the commitments to spare no effort to fight against extreme poverty and to achieve development and poverty eradication, including the commitment to halve, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger;

7. *Reaffirms also* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;[238]

8. *Encourages* the international community to strengthen its efforts to address challenges that are contributing to extreme poverty, including those posed by the current food, energy and financial crises in all parts of the world, especially in developing countries, by enhancing its cooperation to help build national capacities;

9. *Reaffirms* the critical role of both formal and informal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for eradicating illiteracy, and efforts towards expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty, and in this context reaffirms the Dakar Framework for Action adopted at the World Education Forum in 2000,[239] and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as a tool to achieve the millennium development goal of universal primary education by 2015;

10. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites her to further pursue the work in this area;

11. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and

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[237] See resolution 55/2.

[238] See resolution 60/1.

[239] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

extreme poverty, and encourages the private sector and the international financial institutions to proceed likewise;

12. *Invites* States, as well as relevant United Nations agencies, the specialized agencies, programmes and funds, intergovernmental organizations, United Nations treaty bodies, special procedures, including the independent expert on the question of human rights and extreme poverty, national human rights institutions, within their respective mandates, and also non-governmental organizations, especially those in which people in situations of extreme poverty express their views, to contribute further to the consultations led by the High Commissioner on the draft guiding principles on extreme poverty and human rights: the rights of the poor;[236]

13. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the Millennium Declaration and the internationally agreed development goals set out therein into their work;

14. *Also welcomes* the appointment of the new independent expert on the question of human rights and extreme poverty and the renewed mandate that she has received, and takes note with appreciation of her report to the General Assembly;[240]

15. *Decides* to consider the question further at its sixty-fifth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

RESOLUTION 63/176

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[241] by a recorded vote of 129 to 54, with 4 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Brazil, Chile, Singapore, Timor-Leste

63/176. Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[242] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[243]

Recalling also the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,[244]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

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[240] A/63/274.

[241] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Algeria, Angola, Azerbaijan, Bangladesh, Barbados, Belarus, Benin, Bolivia, Botswana, Burkina Faso, Burundi, Cameroon, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Honduras, Indonesia, Iran (Islamic Republic of), Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tunisia, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

[242] Resolution 217 A (III).

[243] A/CONF.157/24 (Part I), chap. III.

[244] See resolution 2200 A (XXI), annex.

Recalling the United Nations Millennium Declaration[245] and the outcome documents of the twenty-third [246] and twenty-fourth[247] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 62/151 of 18 December 2007,

Recalling further Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[248]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[249] to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware that the risk of a global monoculture poses more of a threat if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights, particularly in the light of the current international financial challenges,

Expressing deep concern at the negative impact of the rising global food and energy challenges on social and economic development and on the full enjoyment of all human rights,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights, and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit that are described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication,

Deeply concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

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[245] See resolution 55/2.

[246] Resolution S-23/2, annex, and resolution S-23/3, annex.

[247] Resolution S-24/2, annex.

[248] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[249] See resolution 60/1.

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

6. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[250] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

7. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

8. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

9. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

10. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

11. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

12. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

13. *Takes note* of the report of the Secretary-General,[251] and requests him to seek further the views of Member States and relevant agencies of the United Nations system and to submit a substantive report on the subject to the General Assembly at its sixty-fourth session.

RESOLUTION 63/177

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[252]

63/177. Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000, section III of its resolution 55/234 of 23 December 2000, its resolution 56/253 of 24 December 2001, and its resolutions 58/176 of 22 December 2003, 59/183 of 20 December 2004, 60/151 of 16 December 2005, 61/158 of 19 December 2006 and 62/221 of 22 December 2007 on the Subregional Centre for Human Rights and Democracy in Central Africa,

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[250] E/CN.4/2002/54.

[251] A/63/259.

[252] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Angola, Austria, Benin, Bosnia and Herzegovina, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Djibouti, Egypt, El Salvador, Equatorial Guinea, Ethiopia, France, Gabon, Ghana, Guinea, Honduras, Italy, Kenya, Lebanon, Lesotho, Liberia, Madagascar, Malawi, Mali, Morocco, Namibia, Nigeria, Portugal, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, Spain, Sri Lanka, Sudan, Swaziland, the former Yugoslav Republic of Macedonia, Uganda, United Republic of Tanzania, United States of America and Zambia.

Recalling further that the World Conference on Human Rights recommended that more resources be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,[253]

Recalling the report of the High Commissioner,[254]

Taking note of the holding of the twenty-seventh ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, in Luanda from 13 to 15 May 2008,

Taking note also of the report of the Secretary-General,[255]

Welcoming the 2005 World Summit Outcome,[256] in particular the decision confirmed therein to double the regular budget of the Office of the High Commissioner over the next five years,

1. *Welcomes* the activities of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

2. *Notes with satisfaction* the support provided for the establishment of the Centre by the host country;

3. *Takes note* of the implementation of the new three-year strategy for the Centre, which aims to reinforce its activities;[257]

4. *Notes* the efforts of the Secretary-General and the United Nations High Commissioner for Human Rights to ensure the full implementation of the relevant resolutions of the General Assembly[258] in order to provide sufficient funds and human resources for the missions of the Centre;

5. *Requests* the Secretary-General and the High Commissioner to continue to provide additional funds and human resources within the existing resources of the Office of the United Nations High Commissioner for Human Rights to enable the Centre to respond positively and effectively to the growing needs in the promotion and protection of human rights and in developing a culture of democracy and the rule of law in the Central African subregion;

6. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution.

RESOLUTION 63/178

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[259] by a recorded vote of 182 to 4, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Marshall Islands, Palau, Ukraine, United States of America

Abstaining: Canada, Israel

63/178. The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom, as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights,[260] as well as the International Covenant on Civil and Political

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[253] See A/CONF.157/24 (Part I), chap. III.

[254] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 36*, addendum (A/56/36/Add.1).

[255] A/63/367.

[256] See resolution 60/1.

[257] See A/62/317, paras. 14–19.

[258] See resolutions 61/158 and 62/221.

[259] The draft resolution recommended in the report was sponsored in the Committee by: Brazil, China, Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), Dominica and El Salvador.

[260] Resolution 217 A (III).

Rights[261] and the International Covenant on Economic, Social and Cultural Rights,[261]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action[262] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[263]

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Expressing deep concern over the lack of progress in the trade negotiations of the World Trade Organization, and reaffirming the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,

Recalling the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008, on the theme "Addressing the opportunities and challenges of globalization for development",[264]

Recalling also all its previous resolutions, Human Rights Council resolution 9/3 of 24 September 2008,[265] previous resolutions of the Council and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998,[266] on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Welcoming the outcome of the ninth session of the Working Group on the Right to Development of the Human Rights Council, held in Geneva from 18 to 22 August 2008, as contained in the report of the Working Group[267] and as referred to in the report of the Secretary-General on the right to development,[268]

Recalling the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana on 15 and 16 September 2006, the Fifteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Tehran on 29 and 30 July 2008, and the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held in Putrajaya, Malaysia, on 29 and 30 May 2006,

Reiterating its continuing support for the New Partnership for Africa's Development[269] as a development framework for Africa,

Recognizing that poverty is an affront to human dignity,

Recognizing also that extreme poverty and hunger are the greatest global threat that requires the collective commitment of the international community for its eradication, pursuant to millennium development goal 1, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing further that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the millennium development goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

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[261] See resolution 2200 A (XXI), annex.

[262] A/CONF.157/24 (Part I), chap. III.

[263] See resolution 55/2.

[264] See TD/442 and Corr.1.

[265] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53 A* (A/63/53/Add.1), chap. I.

[266] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[267] A/HRC/9/17.

[268] A/63/340.

[269] A/57/304, annex.

1. *Endorses* the conclusions and recommendations adopted by consensus by the Working Group on the Right to Development of the Human Rights Council at its ninth session,[267] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors;

2. *Supports* the realization of the mandate of the Working Group as renewed by the Human Rights Council in its resolution 9/3,[265] with the recognition that the Working Group will convene annual sessions of five working days and submit its reports to the Council;

3. *Also supports* the realization of the mandate of the high-level task force on the implementation of the right to development, established within the framework of the Working Group, as renewed by the Human Rights Council in its resolution 9/3,[265] with the further recognition that the task force will convene annual sessions of seven working days and submit its reports to the Working Group;

4. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development and the achievements of the Millennium Development Goals, and also in this regard, to lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action,[262] to the same level and on a par with all other human rights and fundamental freedoms;

5. *Notes with appreciation* that the high-level task force, at its second meeting, examined millennium development goal 8, on developing a global partnership for development, and suggested criteria for its periodic evaluation with the aim of improving the effectiveness of global partnership with regard to the realization of the right to development;[270]

6. *Stresses* the importance of endorsement of the workplan for the task force for the period 2008–2010, outlined in paragraph 43 of the report of the Working Group,[267] which requires that the criteria for the periodic evaluation of global partnerships, as identified in millennium development goal 8, to be submitted by the task force to the Working Group at its eleventh session in 2010, be extended to other components of millennium development goal 8;

7. *Also stresses* that the above criteria, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

8. *Emphasizes* the importance that, upon completion of the three phases of the road map, the Working Group take appropriate steps to ensure respect for and practical application of these standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement;

9. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session,[271] congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

10. *Also stresses* that it is important that the high-level task force and the Working Group, in the discharge of their mandates, take into account the need:

(*a*) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(*b*) To also promote effective partnerships such as the New Partnership for Africa's Development[269] and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Millennium Development Goals;

(*c*) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of fundamental human rights, and also urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(*d*) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

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[270] See E/CN.4/2005/WG.18/TF/3.

[271] See E/CN.4/2002/28/Rev.1, sect. VIII.A.

(*e*) To mainstream the right to development in the policies and operational activities of the United Nations and the specialized agencies, programmes and funds, as well as in policies and strategies of the international financial and multilateral trading systems, taking into account in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising out of political or other non-economic considerations, in addressing the issues of concern to the developing countries;

11. *Encourages* the Human Rights Council to consider how to ensure follow-up to the ongoing work of the former Subcommission on the Promotion and Protection of Human Rights on the right to development, in accordance with the relevant provisions of the resolutions General Assembly and the Commission on Human Rights, and in compliance with decisions to be taken by the Human Rights Council;

12. *Invites* Member States and all other stakeholders to participate actively in future sessions of the Social Forum, while recognizing the strong support extended to the Forum at its previous four sessions by the Subcommission on the Promotion and Protection of Human Rights;

13. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

14. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

15. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

16. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with each other to that end;

17. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

18. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as an integral part of fundamental human rights;

19. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and the international levels;

20. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

21. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

22. *Expresses its deep concern* in this regard at the negative impact on the realization of the right to development owing to the further aggravation of the economic and social situation, in particular of developing countries, as the result of the ongoing international energy, food and financial crises;

23. *Underlines* the fact that the international community is far from meeting the target set in the United Nations Millennium Declaration[263] of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

24. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

25. *Recognizes* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

26. *Calls for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization; implementation of commitments on implementation-related issues and concerns; review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational; avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

27. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses, in this regard, the need for good governance and broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as to strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

28. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

29. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

30. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes, and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

31. *Welcomes* the Political Declaration on HIV/AIDS adopted at the High-level Meeting of the General Assembly on 2 June 2006,[272] stresses that further and additional measures must be taken at the national and international levels to fight HIV/AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

32. *Also welcomes* the entry into force of the Convention on the Rights of Persons with Disabilities[273] on 3 May 2008;

33. *Stresses its commitment* to indigenous peoples in the process of the realization of the right to development, and reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security in accordance with recognized international human rights obligations and taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007;

34. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

35. *Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery consistent with the principles of the United Nations Convention against Corruption,[274] particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the Convention as soon as possible, and States parties to implement it effectively;

36. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office of the High Commissioner with the necessary resources;

37. *Reaffirms* the request to the United Nations High Commissioner for Human Rights, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her next report to the Human Rights Council;

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[272] Resolution 60/262, annex.

[273] Resolution 61/106, annex I.

[274] United Nations, *Treaty Series*, vol. 2349, No. 42146.

38. *Calls upon* the United Nations agencies, funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

39. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

40. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chairperson of the Working Group on the Right to Development to present a verbal update to the Assembly at its sixty-fourth session.

RESOLUTION 63/179

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[275] by a recorded vote of 132 to 54, with no abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: None

63/179. Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 62/162 of 18 December 2007, Human Rights Council resolution 9/4 of 24 September 2008,[276] and previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General[277] submitted pursuant to Commission on Human Rights resolution 1999/21 of 23 April 1999,[278] and the reports of the Secretary-General on the implementation of General Assembly resolutions 52/120 of 12 December 1997[279] and 55/110 of 4 December 2000,[280]

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

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[275] The draft resolution recommended in the report was sponsored in the Committee by: China, Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and El Salvador.

[276] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. I.

[277] A/63/272.

[278] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[279] A/53/293 and Add.1.

[280] A/56/207 and Add.1.

Recalling the final document of the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana on 15 and 16 September 2006,[281] and the final document of the Fifteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Teheran on 29 and 30 July 2008,[282] in which the Ministers of the Movement of Non-Aligned Countries agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs, and to request States applying those measures or laws to revoke them fully and immediately,

Recalling also that at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral coercive measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights, and also severely threatens the freedom of trade,[283]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development adopted by the World Summit for Social Development on 12 March 1995,[284] the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995,[285] the Istanbul Declaration on Human Settlements and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[286] and their five-year reviews,

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing its grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,[287]

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights[288] and the International Covenant on Economic, Social and Cultural Rights,[288] which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[289] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries,

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[281] A/61/472-S/2006/780, annex I.

[282] A/62/929, annex I.

[283] See A/CONF.157/24 (Part I), chap. III.

[284] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[285] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[286] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

[287] Resolution 41/128, annex.

[288] See resolution 2200 A (XXI), annex.

[289] Resolution 217 A (III).

in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States to neither recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

4. *Condemns* the continued unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures with all their extraterritorial effects as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

5. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

6. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest possible time;

7. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

8. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the Assembly in its resolution 3281 (XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

9. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment of national laws and their extraterritorial application which are not in conformity with international law, in its task concerning the implementation of the right to development;

10. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

11. *Underlines* that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development,[287] and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of domestic laws which run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Intergovernmental Group of Experts on the Right to Development;

12. *Recognizes* that in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003,[290] States were strongly urged to avoid and refrain from any unilateral measure in building the information society;

13. *Supports* the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

14. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its sixty-fourth session, while reiterating once again the need to highlight the practical and preventive measures in this respect;

15. *Decides* to examine the question on a priority basis at its sixty-fourth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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[290] A/C.2/59/3, annex, chap. I, sect. A.

RESOLUTION 63/180

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[291]

63/180. Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[292] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000[293] and of its resolution 62/160 of 18 December 2007, Human Rights Council resolution 7/3 of 27 March 2008[294] and the resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and its role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[295]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms

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[291] The draft resolution recommended in the report was sponsored in the Committee by: Brazil, China, Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and El Salvador.

[292] A/CONF.157/24 (Part I), chap. III.

[293] See resolution 55/2.

[294] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, sect. A.

[295] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Calls upon* Member States, the specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

9. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

10. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means to enhance international cooperation and dialogue in the United Nations human rights machinery, including the Human Rights Council;

11. *Decides* to continue its consideration of the question at its sixty-fourth session.

RESOLUTION 63/181

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[296]

63/181. Elimination of all forms of intolerance and of discrimination based on religion or belief

The General Assembly,

Recalling its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights,[297] article 18 of the Universal Declaration of Human Rights[298] and other relevant human rights provisions,

Recalling further its previous resolutions on the elimination of all forms of intolerance and of discrimination based on religion or belief, including resolution 62/157 of 18 December 2007, as well as Human Rights Council resolution 6/37 of 14 December 2007,[299] in which the Council, inter alia, extended the mandate of the Special Rapporteur on freedom of religion or belief,

Reaffirming the recognition by the 1993 World Conference on Human Rights that all human rights are universal, indivisible, interdependent and interrelated, and its call upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[300]

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief should be fully respected and guaranteed,

Considering also that the disregard for and infringement of human rights and fundamental freedoms, in particular the right to freedom of thought, conscience and religion or belief, have brought, directly or indirectly, wars and great suffering to humankind,

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of the freedom of religion or belief,

Resolved to speed up the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience and religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as also noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

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[296] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mauritius, Monaco, Montenegro, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay and Venezuela (Bolivarian Republic of).

[297] See resolution 2200 A (XXI), annex.

[298] Resolution 217 A (III).

[299] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[300] See A/CONF.157/24 (Part I), chap. III.

Reaffirming that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or to adopt a religion or belief of one's choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance,

Seriously concerned at all attacks on religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, including any deliberate destruction of relics and monuments,

Seriously concerned also at any misuse of registration procedures and at the resort to discriminatory registration procedures as a means to limit the right to freedom of religion or belief of members of certain religious communities, at the limitations placed on religious materials and at the obstacles placed in the way of construction of places of worship, inconsistent with the exercise of the right to freedom of religion or belief,

Noting that a formal or legal distinction at the national level between different kinds of religions or beliefs may, in some cases, constitute discrimination and may impinge on the enjoyment of the freedom of religion or belief,

Expressing deep concern at all forms of discrimination and intolerance, including prejudices against persons and derogatory stereotyping of persons, based on religion or belief,

Recognizing the importance of enhanced interreligious and intrareligious dialogue in promoting tolerance in matters relating to religion or belief, and welcoming different initiatives in this regard, including the Alliance of Civilizations and the programmes led by the United Nations Educational, Scientific and Cultural Organization,

Emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Convinced of the need to address the rise in various parts of the world of religious extremism that affects the rights of individuals, the situations of violence and discrimination that affect many women as well as other individuals on the grounds or in the name of religion or belief or in accordance with cultural and traditional practices, and the misuse of religion or belief for ends inconsistent with the Charter of the United Nations, as well as other relevant instruments of the United Nations,

Underlining the importance of education in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Reaffirming, in this regard, that education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms and shall promote understanding, tolerance and friendship among all nations and racial or religious groups and further the activities of the United Nations for the maintenance of peace,

1. *Condemns* all forms of intolerance and of discrimination based on religion or belief, as well as violations of freedom of thought, conscience and religion or belief;

2. *Stresses* that the right to freedom of thought, conscience and religion applies equally to all people, regardless of their religions or beliefs, and without any discrimination as to their equal protection by the law;

3. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, are non-discriminatory and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

4. *Recognizes with deep concern* the overall rise in instances of intolerance and violence directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia;

5. *Expresses concern* over the persistence of institutionalized social intolerance and discrimination practised against many in the name of religion or belief;

6. *Recalls* that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief;

7. *Emphasizes* that such procedures, as described in paragraph 6 above, at the national or local level, as and when legally required, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practise their religion or belief either individually or in community with others and in public or private;

8. *Recognizes with concern* the situation of persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum-seekers and internally displaced persons,

children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as regards their ability to freely exercise their right to freedom of religion or belief;

9. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to this end:

(*a*) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without distinction, inter alia, by the provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief, or the right to practise freely one's religion, including the right to change one's religion or belief, is violated;

(*b*) To ensure that no one within their jurisdiction is deprived of the right to life, liberty or security of person because of religion or belief and that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(*c*) To ensure that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits;

(*d*) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, alone or in community with others and in public or private;

(*e*) To ensure that no official documents are withheld from the individual on the grounds of religion or belief and that everyone has the right to refrain from disclosing information concerning one's religious affiliation on such documents against one's will;

(*f*) To ensure that everyone has the right and the opportunity to have access, on general terms of equality, to public service in one's country, without any discrimination on the basis of religion or belief;

(*g*) To ensure, in particular, the right of all persons to worship or assemble in connection with a religion or belief and their right to establish and maintain places for these purposes and the right of all persons to write, issue and disseminate relevant publications in these areas;

(*h*) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(*i*) To exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights law, to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration and destruction;

(*j*) To ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of fulfilling their official duties, respect all religions or beliefs and do not discriminate for reasons based on religion or belief, and that all necessary and appropriate education or training is provided;

10. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audio-visual or electronic media or any other means;

11. *Emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing;

12. *Urges* States to step up their efforts to eliminate intolerance and discrimination based on religion or belief, notably by:

(*a*) Taking all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to members of religious minorities in all parts of the world, and devoting particular attention to practices that violate the human rights of women and discriminate against women, including in the exercise of their right to freedom of thought, conscience and religion or belief;

(*b*) Promoting and encouraging, through education and other means, understanding, tolerance and respect in all matters relating to freedom of religion or belief and undertaking all appropriate efforts to encourage those engaged in teaching to promote mutual understanding, tolerance and respect;

13. *Emphasizes* that no religion should be equated with terrorism, as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

14. *Stresses* the need to strengthen dialogue, inter alia, through the Alliance of Civilizations and its High Representative and the focal point within the Secretariat designated by the General Assembly, in its resolution 62/90 of 17 December 2007, to interact with various entities in the United Nations system and coordinate their contribution to dialogue;

15. *Emphasizes* the importance of a continued and strengthened dialogue among and within religions or beliefs, at all levels and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding;

16. *Invites* all actors to address, in the context of interreligious and intercultural dialogue, inter alia, the following issues within the framework of international human rights:

(*a*) The rise of religious extremism affecting religions in all parts of the world;

(*b*) The situations of violence and discrimination that affect many women as well as other individuals on the grounds or in the name of religion or belief or in accordance with cultural and traditional practices;

(*c*) The misuse of religion or belief for ends inconsistent with the Charter of the United Nations, as well as other relevant instruments of the United Nations;

17. *Welcomes and encourages* the continuing efforts of all actors in society, including non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[301] and further encourages their work in promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

18. *Recommends* that States, the United Nations and other actors, including non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, in as many different languages as possible, and promote its implementation;

19. *Welcomes* the work and the interim report of the Special Rapporteur on freedom of religion or belief;[302]

20. *Urges* all Governments to cooperate fully with the Special Rapporteur, to respond favourably to her requests to visit their countries and to provide all necessary information for the effective fulfilment of her mandate;

21. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to fully discharge her mandate;

22. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-fourth session;

23. *Decides* to consider the question of the elimination of all forms of religious intolerance at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/182

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[303] by a recorded vote of 127 to none, with 58 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sao Tome and Principe, Serbia, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of)

Against: None

Abstaining: Bahamas, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Central African Republic, China, Côte d'Ivoire, Democratic People's Republic of Korea, Djibouti, Egypt, Gambia, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Marshall Islands, Myanmar, Namibia, Niger, Nigeria, Oman, Pakistan, Palau, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Trinidad and Tobago, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Viet Nam, Yemen, Zambia, Zimbabwe

63/182. Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,[304] which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights[305] and other relevant human rights conventions,

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[301] See resolution 36/55.

[302] See A/63/161.

[303] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

[304] Resolution 217 A (III).

Reaffirming the mandate of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions, as set out in Council resolution 8/3 of 18 June 2008,[306]

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949,[307] which alongside human rights law provide an important framework of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Mindful of all its resolutions on the subject of extrajudicial, summary or arbitrary executions and the resolutions of the Commission on Human Rights and of the Human Rights Council on the subject,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Noting with deep concern the growing number of civilians and persons *hors de combat* killed in situations of armed conflict and internal strife,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court,[308] and recalling in this regard that each individual State has the responsibility to protect its populations from such crimes as set out in General Assembly resolution 60/1 of 16 September 2005,

Convinced of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent flagrant violations of human rights, particularly the right to life,

1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms and manifestations;

3. *Reiterates* the obligation of all States to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation within a reasonable time to the victims or their families, and to adopt all necessary measures, including legal and judicial measures, to put an end to impunity and to prevent the further occurrence of such executions, as recommended in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions;[309]

4. *Calls upon* Governments and invites intergovernmental and non-governmental organizations to pay greater attention to the work of national-level commissions of inquiry into extrajudicial, summary or arbitrary executions with a view to ensuring the effective contribution of these commissions to accountability and to combating impunity;

5. *Calls upon* all States, in order to prevent extrajudicial, summary and arbitrary executions, to comply with their obligations under relevant provisions of international human rights instruments, and further calls upon those States which have not abolished the death penalty to pay particular regard to the provisions contained in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights[305] and articles 37 and 40 of the Convention on the Rights of the Child,[310] bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and taking into account the recommendations of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions regarding the need to respect essential procedural guarantees, including the right to seek pardon or commutation of sentence;

6. *Urges* all States:

(*a*) To take all necessary and possible measures, in conformity with international human rights law and international humanitarian law, to prevent loss of life, in particular that of children, during public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts, and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State act with restraint and in conformity with international human rights law and international humanitarian law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials[311] and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;[312]

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[305] See resolution 2200 A (XXI), annex.

[306] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. III, sect. A.

[307] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[308] Ibid., vol. 2187, No. 38544.

[309] Economic and Social Council resolution 1989/65, annex.

[310] United Nations, *Treaty Series*, vol. 1577, No. 27531.

(*b*) To ensure the effective protection of the right to life of all persons under their jurisdiction and to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities, killings of persons affected by terrorism, hostage-taking or foreign occupation, killings of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour, all killings committed for any discriminatory reason, including sexual orientation, as well as all other cases where a person's right to life has been violated, and to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level, and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

7. *Affirms* the obligation of States, in order to prevent extrajudicial, summary or arbitrary executions, to protect the lives of all persons deprived of their liberty in all circumstances and to investigate and respond to deaths in custody;

8. *Urges* all States to ensure that persons deprived of their liberty are treated humanely and with full respect for their human rights and to ensure that their treatment, including judicial guarantees, and conditions conform to the Standard Minimum Rules for the Treatment of Prisoners[313] and, where applicable, to the Geneva Conventions of 12 August 1949[307] and the Additional Protocols thereto, of 8 June 1977[314] in relation to all persons detained in armed conflict, as well as to other pertinent international instruments;

9. *Welcomes* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions, and, taking note of the growing awareness of the Court worldwide, calls upon those States that are under an obligation to cooperate with the Court to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences, and further welcomes the fact that one hundred and eight States have already ratified or acceded to and one hundred and thirty-nine States have signed the Rome Statute of the Court,[308] and calls upon all those States that have not ratified or acceded to the Rome Statute to give serious consideration to doing so;

10. *Acknowledges* the importance of ensuring the protection of witnesses for the prosecution of those suspected of extrajudicial, summary or arbitrary executions, and urges States to intensify efforts to establish and implement effective witness protection programmes or other measures, and in this regard encourages the Office of the United Nations High Commissioner for Human Rights to develop practical tools designed to encourage and facilitate greater attention to the protection of witnesses;

11. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials in human rights and humanitarian law issues connected with their work and to include a gender and child rights perspective in such training, and appeals to the international community and requests the Office of the High Commissioner to support endeavours to that end;

12. *Takes note with appreciation* of the report of the Special Rapporteur to the General Assembly;[315]

13. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within his mandate, to collect information from all concerned, to respond effectively to reliable information that comes before him, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his reports;

14. *Acknowledges* the important role of the Special Rapporteur in identifying cases where extrajudicial, summary

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[311] Resolution 34/169, annex.

[312] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August–7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

[313] *Human Rights: A Compilation of International Instruments, Volume I (First Part): Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

[314] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

[315] See A/63/313.

and arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges him to collaborate with the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide, in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

15. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;

16. *Urges* all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that his mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of the mandate of the Special Rapporteur, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

17. *Expresses its appreciation* to those States that have received the Special Rapporteur and asks them to examine his recommendations carefully, invites them to inform him of the actions taken on those recommendations, and requests other States to cooperate in a similar way;

18. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

19. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him to carry out his mandate effectively, including through country visits;

20. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner, in conformity with the mandate of the High Commissioner established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

21. *Requests* the Special Rapporteur to submit to the General Assembly at its sixty-fourth and sixty-fifth sessions a report on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat this phenomenon;

22. *Decides* to continue its consideration of the question at its sixty-fifth session.

RESOLUTION 63/183

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[316]

63/183. Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[317] and the Additional Protocols thereto, of 1977,[318] as well as international standards of human rights, in particular the Universal Declaration of Human Rights,[319] the International Covenant on Economic, Social and Cultural Rights,[320] the International Covenant on Civil and Political Rights,[320] the Convention on the Elimination of All Forms of Discrimination against Women,[321] the Convention on the Rights of the Child[322] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[323]

Acknowledging the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance,[324] and looking forward to its entry into force,

Recalling all previous relevant resolutions on missing persons adopted by the General Assembly, as well as the resolutions adopted by the Commission on Human Rights and the Human Rights Council,

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and human rights law,

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[316] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Ecuador, Egypt, Georgia, Germany, Guatemala, Honduras, Hungary, Italy, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Netherlands, Nigeria, Pakistan, Peru, Qatar, Republic of Moldova, Romania, Saudi Arabia, Senegal, Spain, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Uganda, Ukraine, United States of America, Uzbekistan and Venezuela (Bolivarian Republic of).

[317] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[318] Ibid., vol. 1125, Nos. 17512 and 17513.

[319] Resolution 217 A (III).

[320] See resolution 2200 A (XXI), annex.

[321] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[322] Ibid., vol. 1577, No. 27531.

[323] A/CONF.157/24 (Part I), chap. III.

[324] Resolution 61/177, annex.

Noting that the issue of persons reported missing in connection with international or non-international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and human rights law, continues to have a negative impact on efforts to put an end to those conflicts and causes suffering to the families of missing persons, and stressing in this regard the need to address the issue from a humanitarian perspective, among others,

Considering that the problem of missing persons may raise questions of international humanitarian law and international human rights law, as appropriate,

Being cognizant that States that are parties to an armed conflict have a responsibility for countering the phenomenon of missing persons and determining the fate of missing persons and for recognizing their accountability as regards implementing the relevant mechanisms, policies and laws,

Bearing in mind the effective search for and identification of missing persons through traditional forensic methods, and recognizing that great technological progress has been achieved in the field of DNA forensic sciences, which could significantly assist efforts to identify missing persons,

Recalling the Agenda for Humanitarian Action, in particular its general objective 1, to "respect and restore the dignity of persons missing as a result of armed conflicts or other situations of armed violence and of their families", adopted at the Twenty-eighth International Conference of the Red Cross and Red Crescent, held in Geneva from 2 to 6 December 2003, and resolution 3 entitled "Reaffirmation and implementation of international humanitarian law: preserving human life and dignity in armed conflict", adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007,

Taking note with appreciation of the report of the Secretary-General of 18 August 2008 on missing persons, prepared pursuant to General Assembly resolution 61/155 of 19 December 2006,[325]

Taking note with appreciation also of the ongoing international and regional efforts to address the question of missing persons and of the initiatives undertaken by international and regional organizations in this field,

1. *Urges* States strictly to observe and respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949[317] and, where applicable, in the Additional Protocols thereto, of 1977;[318]

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with armed conflict and account for persons reported missing as a result of such a situation;

3. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflicts;

4. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

5. *Calls upon* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflict and, to the greatest possible extent, to provide their family members, through appropriate channels, with all relevant information they have on their fate;

6. *Recognizes*, in this regard, the need for the collection, protection and management of data on missing persons according to international and national legal norms and standards, and urges States to cooperate with each other and with other concerned actors working in this area, inter alia, by providing all relevant and appropriate information related to missing persons;

7. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflicts and to take appropriate measures to search for and identify those children and to reunite them with their families;

8. *Invites* States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all such legal and practical measures and coordination mechanisms as may be necessary, based on humanitarian considerations only;

9. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflicts and to provide appropriate assistance as requested by the concerned States, and welcomes in this regard the establishment and efforts of commissions and working groups on missing persons;

10. *Calls upon* States, without prejudice to their efforts to determine the fate of persons missing in connection with armed conflicts, to take appropriate steps with regard to the legal situation of the missing persons and the need of their

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[325] A/63/299.

family members, in fields such as social welfare, financial matters, family law and property rights;

11. *Stresses* the need for addressing the issue of missing persons as a part of peacebuilding processes, with reference to all justice and rule of law mechanisms, on the basis of transparency, accountability and public involvement and participation;

12. *Welcomes* the panel discussion on the question of missing persons held at the ninth session of the Human Rights Council, and takes note of the request of the Council to the United Nations High Commissioner for Human Rights to prepare a summary of the panel's deliberations;[326]

13. *Takes note* of the request of the Human Rights Council to its Advisory Committee to prepare a study on the best practices in the matter of missing persons and to submit that study to the Council at its twelfth session;[326]

14. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflicts in their forthcoming reports to the General Assembly;

15. *Requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution, including relevant recommendations, to the Human Rights Council at its relevant session and to the General Assembly at its sixty-fifth session;

16. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

17. *Decides* to consider the question at its sixty-fifth session.

RESOLUTION 63/184

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[327]

63/184. Protection of migrants

The General Assembly,

Recalling all its previous resolutions on the protection of migrants, the most recent of which is resolution 62/156 of 18 December 2007, and recalling also Human Rights Council resolution 9/5 of 24 September 2008,[328]

Reaffirming, in the year of its sixtieth anniversary, the Universal Declaration of Human Rights,[329] which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming also that everyone has the right to freedom of movement and residence within the borders of each State, and to leave any country, including his own, and return to his country,

Recalling the International Covenant on Civil and Political Rights[330] and the International Covenant on Economic, Social and Cultural Rights,[330] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[331] the Convention on the Elimination of All Forms of Discrimination against Women,[332] the Convention on the Rights of the Child,[333] the International Convention on the Elimination of All Forms of Racial Discrimination,[334] the Vienna Convention on Consular Relations [335] and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[336]

Recalling also the provisions concerning migrants contained in the outcomes of all major United Nations conferences and summits,

Underlining the importance of the Human Rights Council in promoting respect for the protection of the human rights and fundamental freedoms of all, including migrants,

Taking note of advisory opinion OC-16/99 of 1 October 1999 on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law and advisory opinion OC-18/03 of 17 September 2003 on the

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[326] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. II, decision 9/101.

[327] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Azerbaijan, Bangladesh, Belarus, Belize, Benin, Bolivia, Brazil, Burkina Faso, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Iraq, Kenya, Kyrgyzstan, Lebanon, Mali, Mauritania, Mexico, Morocco, Nicaragua, Niger, Nigeria, Paraguay, Peru, Philippines, Saint Vincent and the Grenadines, Sri Lanka, Sudan, Tajikistan, Turkey and Uruguay.

[328] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. I.

[329] Resolution 217 A (III).

[330] See resolution 2200 A (XXI), annex.

[331] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[332] Ibid., vol. 1249, No. 20378.

[333] Ibid., vol. 1577, No. 27531.

[334] Ibid., vol. 660, No. 9464.

[335] Ibid., vol. 596, No. 8638.

[336] Ibid., vol. 2220, No. 39481.

Juridical Condition and Rights of Undocumented Migrants, issued by the Inter-American Court of Human Rights,

Taking note also of the Judgment of the International Court of Justice of 31 March 2004 in the case concerning *Avena and Other Mexican Nationals*,[337] and recalling the obligations of States reaffirmed therein,

Recalling the High-level Dialogue on International Migration and Development, held in New York on 14 and 15 September 2006 for the purpose of discussing the multidimensional aspects of international migration and development, which recognized the relationship between international migration, development and human rights,

Noting the second meeting of the Global Forum on Migration and Development, organized and hosted by the Government of the Philippines from 27 to 30 October 2008, and recognizing the inclusion of a discussion on migration, development and human rights as one of the steps to address the multidimensional nature of international migration,

Recalling its resolution 62/270 of 20 June 2008 on the Global Forum on Migration and Development, as adopted, in which, inter alia, it recognized that exchanges of information and expertise, consultation and closer cooperation between the Global Forum and the United Nations could have a positive impact,

Noting the International Meeting on the Protection of the Rights of Children in the Context of International Migration, held in Mexico City on 30 September and 1 October 2008, and co-organized by the Office of the United Nations High Commissioner for Human Rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and dialogue in this regard, as appropriate, and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy and take place in a context of new security concerns,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the phenomenon, as well as full respect for the human rights and fundamental freedoms of migrants,

Noting that many migrant women are employed in the informal economy and in less skilled work compared with that of men, which puts those women at greater risk of abuse and exploitation,

Concerned about the large and growing number of migrants, especially women and children, who place themselves in a vulnerable situation by attempting to cross international borders without the required travel documents, and recognizing the obligation of States to respect the human rights of those migrants,

Stressing the importance of regulations and laws regarding irregular migration being in accordance with the obligations of States under international law, including international human rights law,

Stressing also that penalties and the treatment given to irregular migrants should be commensurate with their infraction,

Recognizing the importance of having a comprehensive and balanced approach to international migration, and bearing in mind that migration enriches the economical, political, social and cultural fabric of States and the historical and cultural ties that exist among some regions,

Underlining the importance for States, in cooperation with non-governmental organizations, to undertake information campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone to make informed decisions and to prevent them from utilizing dangerous means to cross international borders,

1. *Calls upon* States to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants, and avoiding approaches that might aggravate their vulnerability;

2. *Also calls upon* States to ensure that their laws and policies, including in the areas of counter-terrorism and combating transnational organized crime such as trafficking in persons and smuggling of migrants, fully respect the human rights of migrants;

3. *Calls upon* States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[336] as a matter of priority, and requests the Secretary-General to continue his efforts to raise awareness of and promote the Convention;

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[337] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 4* (A/59/4), chap. V, sect. A.23; see also *Avena and Other Mexican Nationals (Mexico* v. *United States of America), Judgment, I.C.J. Reports 2004*, p. 12.

4. *Urges* States parties to the United Nations Convention against Transnational Organized Crime[338] and supplementing protocols thereto, namely, the Protocol against the Smuggling of Migrants by Land, Sea and Air[339] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[340] to implement them fully, and calls upon States that have not done so to consider ratifying or acceding to them as a matter of priority;

5. *Takes note* of the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its seventh and eighth sessions;[341]

6. *Requests* all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, destination and transit, as well as civil society, including migrants, with a view to addressing, in a comprehensive manner, inter alia, its causes and consequences and the challenge of undocumented or irregular migration, granting priority to the protection of the human rights of migrants;

7. *Expresses concern* about legislation and measures adopted by some States that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

8. *Takes note with appreciation* of the measures adopted by some States to reduce detention periods for irregular migrants in the application of domestic regulations and laws regarding irregular migration;

9. *Calls upon* all States to respect the human rights and the inherent dignity of migrants and to put an end to arbitrary arrest and detention and, where necessary, to review detention periods in order to avoid excessive detention of irregular migrants, and to adopt, where applicable, alternative measures to detention;

10. *Urges* all States to adopt effective measures to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups;

11. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants, inter alia, arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

12. *Recalls* that the Universal Declaration of Human Rights[329] recognizes that everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him or her;

13. *Takes note with appreciation* of the successful implementation by some States of alternative measures to detention in cases of undocumented migration as a practice that deserves consideration by all States;

14. *Urges* States to ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations and take into account, in conformity with their international obligations and commitments, the principle of the best interest of the child and family reunification;

15. *Underlines* the right of migrants to return to their country of citizenship, and recalls that States must ensure that their returning nationals are duly received;

16. *Reaffirms emphatically* the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations,[335] in particular with regard to the right of all foreign nationals, regardless of their immigration status, to communicate with a consular official of the sending State in case of arrest, imprisonment, custody or detention, and the obligation of the receiving State to inform the foreign national without delay of his or her rights under the Convention;

17. *Strongly condemns* the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply and, where needed, reinforce the existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

18. *Requests* all States, in conformity with national legislation and applicable international legal instruments to which they are party, to enforce labour law effectively, including by addressing violations of such law, with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

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[338] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[339] Ibid., vol. 2241, No. 39574.

[340] Ibid., vol. 2237, No. 39574.

[341] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 48* (A/63/48).

19. *Encourages* all States to remove obstacles that may prevent the safe, unrestricted and expeditious transfer of remittances of migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

20. *Welcomes* immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious, tolerant and respectful environment, and encourages States to consider the possibility of adopting these types of programmes;

21. *Requests* Member States, the United Nations system, international organizations, civil society and all relevant stakeholders, especially the United Nations High Commissioner for Human Rights and the Special Rapporteur on the human rights of migrants, to ensure that the perspective of the human rights of migrants is included among the priority issues in the ongoing discussions on international migration and development within the United Nations system, bearing in mind the discussions of the High-level Dialogue on International Migration and Development held pursuant to General Assembly resolution 58/208 of 23 December 2003;

22. *Invites* the Chairperson of the Committee to address the General Assembly at its future sessions under the item entitled "Promotion and protection of human rights";

23. *Invites* the Special Rapporteur to present his reports to the General Assembly at its future sessions under the item entitled "Promotion and protection of human rights";

24. *Invites* Member States to strengthen their efforts to raise awareness of the important contribution of migrants to all spheres of society and to consider the development of appropriate tools to highlight the contribution of migrants to recipient countries, including through the collection of data and the development of statistics;

25. *Requests* the Secretary-General to provide the resources necessary, from within existing resources of the United Nations, for the Committee to meet for two separate sessions in 2009, the first session to be of two consecutive weeks' duration and the second session to be of one week's duration, for the purpose of meeting the demands of the workload arising from the increasing number of reports of States parties that have been submitted to the Committee, and invites the Committee to consider ways of further improving the effectiveness of its working sessions;

26. *Also requests* the Secretary-General to report on the implementation of the present resolution at its sixty-fourth session and to include in that report an analysis of the ways and means to promote the human rights of migrants, taking into account the views of the Special Rapporteur, and decides to examine the question further under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/185

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[342]

63/185. Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Reaffirming further the Universal Declaration of Human Rights,[343]

Reaffirming that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Reiterating the important contribution of measures taken at all levels against terrorism, consistent with international law, in particular international human rights, refugee and humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights, as well as the need to continue this fight, including through international cooperation and the strengthening of the role of the United Nations in this respect,

Deeply deploring the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee law and international humanitarian law,

Recognizing that respect for all human rights, respect for democracy and respect for the rule of law are interrelated and mutually reinforcing,

Noting with concern measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, and the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture, and limitations to effective scrutiny of counter-terrorism measures,

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[342] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gambia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Montenegro, Netherlands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela (Bolivarian Republic of).

[343] Resolution 217 A (III).

Stressing that measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights law, international refugee law and international humanitarian law,

Recalling article 30 of the Universal Declaration of Human Rights, and reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,[344]

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Noting the declarations, statements and recommendations of a number of human rights treaty monitoring bodies and special procedures on the question of the compatibility of counter-terrorism measures with human rights obligations,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment, and of abiding strictly by the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[345] in the fight against terrorism,

Recalling its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006 and 62/159 of 18 December 2007, Commission on Human Rights resolutions 2003/68 of 25 April 2003,[346] 2004/87 of 21 April 2004[347] and 2005/80 of 21 April 2005,[348] and other relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Council resolution 7/7 of 27 March 2008,[349] and Council decision 2/112 of 27 November 2006,[350]

Recalling also Human Rights Council resolution 6/28 of 14 December 2007,[351] by which the Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism for a period of three years,

Recalling further its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

Acknowledging the work of the Human Rights Council in promoting respect for the protection of human rights and fundamental freedoms in the fight against terrorism,

Recognizing the importance of the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,[352] and reaffirming its relevant clauses on measures to ensure respect for human rights for all, international humanitarian law and the rule of law as the fundamental basis for the fight against terrorism,

Recalling its resolution 62/272 of 5 September 2008, in which it called upon the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms while countering terrorism,

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity

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[344] See sect. I, para. 17, of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 (A/CONF.157/24 (Part I), chap. III).

[345] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[346] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[347] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[348] Ibid., *2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[349] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[350] Ibid., *Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. B.

[351] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. I.

[352] Resolution 60/288.

with them, and stresses the importance of providing them with assistance;

3. *Expresses serious concern* at the occurrence of violations of human rights and fundamental freedoms in the context of countering terrorism;

4. *Reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights,[353] to respect certain rights as non-derogable in any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlines the exceptional and temporary nature of any such derogations;[354]

5. *Calls upon* States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

6. *Reaffirms* that counter-terrorism measures should be implemented in full consideration of the human rights of all, including persons belonging to national or ethnic, religious and linguistic minorities, and must not be discriminatory on grounds such as race, colour, sex, language, religion or social origin;

7. *Calls upon* States not to resort to profiling based on stereotypes founded on grounds of discrimination prohibited by international law, including discrimination on racial, ethnic and/or religious grounds;

8. *Urges* States, while countering terrorism, to fully comply with their obligations with regard to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

9. *Also urges* States to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;

10. *Calls upon* States to refrain from returning persons, including in cases related to terrorism, to their countries of origin or to a third State whenever such transfer would be contrary to their obligations under international law, in particular international human rights law, international humanitarian law and international refugee law, including in cases where there are substantial grounds for believing that they would be in danger of subjection to torture, or where their life or freedom would be threatened in violation of international refugee law on account of their race, religion, nationality, membership of a particular social group or political opinion, bearing in mind obligations that States may have to prosecute individuals not returned;

11. *Also calls upon* States to ensure that guidelines and practices in all border control operations and other pre-entry mechanisms are clear and fully respect their obligations under international law, particularly refugee law and human rights law, towards persons seeking international protection;

12. *Urges* States, while countering terrorism, to ensure due process guarantees, consistent with all relevant provisions of the Universal Declaration of Human Rights,[343] and their obligations under the International Covenant on Civil and Political Rights,[353] the Geneva Conventions of 1949[355] and the Additional Protocols thereto, of 1977,[356] and the 1951 Convention relating to the Status of Refugees[357] and the 1967 Protocol thereto[358] in their respective fields of applicability;

13. *Urges* all States to take all steps necessary to ensure that persons deprived of liberty, regardless of the place of arrest or detention, benefit from the guarantees to which they are entitled under international law, including the review of the detention and, if they are subjected to trial, fundamental judicial guarantees;

14. *Opposes* any form of deprivation of liberty that amounts to placing a detained person outside the protection of the law, and urges States to respect the safeguards concerning the liberty, security and dignity of the person and to treat all prisoners in all places of detention in accordance with international law, including international human rights law and international humanitarian law;

15. *Acknowledges* the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance in its resolution 61/177 of 20 December 2006, and recognizes that the entry into force of the Convention will be an important step in support of the rule of law in countering terrorism;

16. *Reaffirms* that it is imperative that all States work to uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism;

17. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to give due consideration to the recommendations of the special procedures and mechanisms of the Human Rights Council and the relevant

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[353] See resolution 2200 A (XXI), annex.

[354] See, for example, General Comment No. 29 on states of emergency adopted by the Human Rights Committee on 24 July 2001.

[355] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[356] Ibid., vol. 1125, Nos. 17512 and 17513.

[357] Ibid., vol. 189, No. 2545.

[358] Ibid., vol. 606, No. 8791.

comments and views of United Nations human rights treaty bodies;

18. *Calls upon* States to ensure that their laws criminalizing acts of terrorism are accessible, formulated with precision, non-discriminatory, non-retroactive and in accordance with international law, including human rights law;

19. *Recognizes* the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the Security Council's continued enhancement of efforts in support of these objectives, while emphasizing the importance of these sanctions in countering terrorism;

20. *Urges* States, while ensuring full compliance with their international obligations, to include adequate human rights guarantees in their national procedures for the listing of individuals and entities with a view to combating terrorism;

21. *Takes note with appreciation* of the report of the Secretary-General[359] and the report of the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism[360] submitted pursuant to resolution 62/159, and takes note of the recommendations and conclusions contained therein;

22. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links and to continue to develop cooperation with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and other relevant special procedures and mechanisms of the Human Rights Council, giving due regard to the promotion and protection of human rights in the ongoing work pursuant to relevant Security Council resolutions relating to terrorism;

23. *Calls upon* States and other relevant actors, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy,[352] which, inter alia, reaffirms respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism;

24. *Requests* the Office of the High Commissioner and the Special Rapporteur to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, including by raising awareness about the need to respect human rights while countering terrorism;

25. *Requests* the Counter-Terrorism Implementation Task Force to continue its efforts to ensure that the United Nations can better coordinate and enhance support to Member States in their efforts to implement their obligations under international law, including international human rights law, international refugee law and international humanitarian law, while countering terrorism;

26. *Calls upon* international, regional and subregional organizations to strengthen information-sharing, coordination and cooperation in promoting the protection of human rights and fundamental freedoms while countering terrorism;

27. *Acknowledges with appreciation* the cooperation between the Special Rapporteur and all other relevant procedures and mechanisms of the Human Rights Council as well as the United Nations human rights treaty bodies, and urges them to continue their cooperation, in accordance with their mandates, and to coordinate their efforts, where appropriate, in order to promote a consistent approach on this subject;

28. *Requests* the Special Rapporteur, in the context of his mandate, to continue to make recommendations with regard to preventing, combating and redressing violations of human rights and fundamental freedoms in the context of countering terrorism;

29. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to the urgent appeals of the Special Rapporteur and providing the information requested, as well as to cooperate with other relevant procedures and mechanisms of the Human Rights Council dealing with the promotion and protection of human rights and fundamental freedoms while countering terrorism;

30. *Calls upon* States to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries;

31. *Welcomes* the work of the United Nations High Commissioner for Human Rights to implement the mandate given to her in 2005, in resolution 60/158, and requests the High Commissioner to continue her efforts in this regard;

32. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Human Rights Council and to the General Assembly at its sixty-fourth session;

33. *Decides* to consider at its sixty-fourth session the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

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[359] A/63/337.

[360] See A/63/223.

RESOLUTION 63/186

Adopted at the 70th plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[361]

63/186. International Convention for the Protection of All Persons from Enforced Disappearance

The General Assembly,

Reaffirming its resolution 61/177 of 20 December 2006, by which it adopted and opened for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling its resolution 47/133 of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearances as a body of principles for all States,

Recalling also Human Rights Council resolution 7/12 of 27 March 2008,[362] by which the Council extended the mandate of the Working Group on Enforced or Involuntary Disappearances for a further period of three years,

Deeply concerned, in particular, by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Acknowledging that acts of enforced disappearance are recognized in the Convention as crimes against humanity, in certain circumstances,

Recognizing that the entry into force of the Convention, as soon as possible, through its ratification by twenty States, will be a significant event,

1. *Welcomes* the adoption on 20 December 2006 of the International Convention for the Protection of All Persons from Enforced Disappearance,[363] and looks forward to its entry into force at an early date;

2. *Also welcomes* the fact that since the signing ceremony for the Convention, on 6 February 2007, eighty States have signed the Convention and seven have ratified it, and calls upon States which have not yet done so to consider signing and ratifying the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

3. *Requests* the Secretary-General and the United Nations High Commissioner of Human Rights to intensify efforts to assist States to become parties to the Convention, with a view to achieving universal adherence;

4. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations and the Working Group on Enforced or Involuntary Disappearances, to continue undertaking efforts to disseminate information on the Convention, to promote understanding of it, to prepare for its entry into force and to assist States parties in implementing their obligations under this instrument;

5. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the status of the Convention and the implementation of the present resolution.

RESOLUTION 63/187

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[364] by a recorded vote of 184 to 1, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan,

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[361] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Netherlands, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

[362] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[363] Resolution 61/177, annex.

[364] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Montenegro, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America
Abstaining: None

63/137. The right to food

The General Assembly,

Reaffirming all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[365] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition[366] and the United Nations Millennium Declaration,[367] in particular millennium development goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[368] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[369] and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[370]

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[371]

Bearing in mind paragraph 6 of its resolution 60/251 of 15 March 2006,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming also that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

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[365] Resolution 217 A (III).

[366] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[367] See resolution 55/2.

[368] See resolution 2200 A (XXI), annex.

[369] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

[370] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/57/499, annex.

[371] Food and Agriculture Organization of the United Nations, *Report of the Council of the Food and Agriculture Organization of the United Nations, One Hundred and Twenty-seventh Session, Rome, 22–27 November 2004* (CL 127/REP), appendix D; see also E/CN.4/2005/131, annex.

Recognizing the complex character of the worsening of the current global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, as a combination of several major factors, including macroeconomic factors, exacerbated by environmental degradation, desertification and global climate change, natural disasters and the lack of the technology necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the current global food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Taking note of the final Declaration adopted at the International Conference on Agrarian Reform and Rural Development of the Food and Agriculture Organization of the United Nations in Porto Alegre, Brazil, on 10 March 2006,[372]

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that more than 6 million children still die every year from hunger-related illness before their fifth birthday and that the number of people who are undernourished has grown to about 923 million worldwide, including as a result of the global food crisis, while, according to the Food and Agriculture Organization of the United Nations, the planet could produce enough food to feed 12 billion people, twice the world's present population;

4. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

5. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

6. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

7. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

8. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

9. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

10. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in

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[372] Food and Agriculture Organization of the United Nations, *Report of the International Conference on Agrarian Reform and Rural Development, Porto Alegre, Brazil, 7–10 March 2006* (C 2006/REP), appendix G.

developing countries, including through the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

11. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises is a key element for food security and the provision of the right to food;

12. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[373]

13. *Also stresses* its commitments to promote and protect, without discrimination, the economic, social and cultural rights of indigenous peoples in accordance with international human rights obligations and, taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples,[374] acknowledges that many indigenous organizations and representatives of indigenous communities have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

14. *Notes* the need to further examine various concepts such as, inter alia, "food sovereignty" and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

15. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

16. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

17. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

18. *Calls for* the early conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

19. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

20. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

21. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, and invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[369] and the United Nations Millennium Declaration;[367]

22. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

23. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

24. *Stresses* the importance of international development cooperation and assistance, both as an effective contribution to

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[373] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[374] Resolution 61/295, annex.

the expansion of agriculture and food production and, in particular in activities related to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

25. *Also stresses* that States parties to the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights[375] should consider implementing that agreement in a manner supportive of food security, while mindful of the obligation of Member States to promote and protect the right to food;

26. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

27. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

28. *Takes note with appreciation* of the interim report of the Special Rapporteur[376] and the work and commitment of the first mandate holder to achieving the realization of the right to food;

29. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 6/2 of 27 September 2007;[377]

30. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

31. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[378] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

32. *Recalls* General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[379] in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in realization of the right to adequate food;

33. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[371] represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration;

34. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

35. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

36. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-fourth session on the implementation of the present resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate;

37. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission

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[375] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

[376] See A/63/278.

[377] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect A.

[378] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

[379] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

of comments and suggestions on ways and means of realizing the right to food;

38. *Decides* to continue the consideration of the question at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/188

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[380] by a recorded vote of 121 to 4, with 60 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Palau, United States of America

Abstaining: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Vanuatu

63/188. Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Recalling its resolution 61/162 of 19 December 2006,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[381] as well as article 12 of the International Covenant on Civil and Political Rights,[382]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[383] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Noting with great concern that, while some positive developments have occurred during the past few years in the accomplishment of the objectives highlighted in previous resolutions adopted by the General Assembly on this matter,[384] in particular relating to facilitating the flow of remittances across international borders to help families, in certain cases it has been reported that measures have been adopted that increased the restrictions imposed on documented migrants in relation to family reunification and the possibility of sending remittances to their relatives in the country of origin,

Recalling that the family is the basic unit of society and, as such, should be strengthened, and that it is entitled to receive comprehensive protection and support,

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against individuals or groups of legal migrants by adversely affecting family

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[380] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Belarus, Bolivia, Cuba, Ecuador, El Salvador, Ethiopia, Honduras, Libyan Arab Jamahiriya, Nicaragua, Philippines, Sudan, Venezuela (Bolivarian Republic of) and Zimbabwe.

[381] Resolution 217 A (III).

[382] See resolution 2200 A (XXI), annex.

[383] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[384] Resolutions 57/227, 59/203 and 61/162.

reunification and the right to send financial remittances to relatives in the country of origin;

5. *Decides* to continue its consideration of the question at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/189

Adopted at the 70th plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.2, para. 182),[385] by a recorded vote of 124 to 55, with 7 abstentions, as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Armenia, Chile, Mexico, Peru, Timor-Leste, Vanuatu

63/189. Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 61/160 of 19 December 2006, and taking note of Human Rights Council resolution 8/5 of 18 June 2008,[386]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the [illegible] and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[387] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

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[385] The draft resolution recommended in the report was sponsored in the Committee by: Algeria, Angola, Bangladesh, Belarus, Benin, Bolivia, Burkina Faso, Burundi, Cameroon, Chad, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Ethiopia, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Myanmar, Namibia, Nicaragua, Nigeria, Pakistan, Russian Federation, Sierra Leone, Solomon Islands, South Africa, Sudan, Swaziland, Syrian Arab Republic, Uganda, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

[386] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. III, sect. A.

[387] Resolution 217 A (III).

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Considering also that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Emphasizing that democracy is not only a political concept but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Recognizing the complex character of the current global food, fuel and financial crises, in which the adequate enjoyment of all human rights is threatened to be violated, as a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of the technology necessary to confront their impact, particularly in developing countries and least developed countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of and technology transfer to developing countries, in particular the landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies, and increased intercultural exchange through the preservation and promotion of cultural diversity,[388] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

4. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(*a*) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(*b*) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(*c*) The right of every human person and all peoples to development;

(*d*) The right of all peoples to peace;

(*e*) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

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[388] See A/CONF.189/12 and Corr.1, chap. I.

(*f*) International solidarity, as a right of peoples and individuals;

(*g*) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

(*h*) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(*i*) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(*j*) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(*k*) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(*l*) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(*m*) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(*n*) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(*o*) The shared responsibility of the nations of the world for managing worldwide economic and social development as well as threats to international peace and security that should be exercised multilaterally;

5. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

6. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

8. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

9. *Recalls* the proclamation by the General Assembly of its determination to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;[389]

10. *Reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

11. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

12. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their

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[389] See resolution 3201 (S-VI).

respective mandates, to the present resolution and to make contributions towards its implementation;

13. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

14. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

15. *Decides* to continue consideration of the matter at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/190

Adopted at the 71st plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.3 and Corr.1, para. 30),[390] by a recorded vote of 94 to 22, with 63 abstentions, as follows:

In favour: Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Belize, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Canada, Chile, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kiribati, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu

Against: Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Guinea, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Myanmar, Oman, Russian Federation, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe

Abstaining: Angola, Antigua and Barbuda, Azerbaijan, Barbados, Benin, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Congo, Côte d'Ivoire, Dominica, Dominican Republic, Ecuador, Ethiopia, Gambia, Grenada, Guatemala, Guyana, Haiti, India, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Mali, Mauritania, Mauritius, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Singapore, Solomon Islands, South Africa, Suriname, Swaziland, Tajikistan, Thailand, Turkmenistan, Uganda, United Arab Emirates, Yemen, Zambia

63/190. Situation of human rights in the Democratic People's Republic of Korea

The General Assembly,

Reaffirming that States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations that they have undertaken under the various international instruments,

Mindful that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,[391] the International Covenant on Economic, Social and Cultural Rights,[391] the Convention on the Rights of the Child[392] and the Convention on the Elimination of All Forms of Discrimination against Women,[393]

Noting the submission by the Democratic People's Republic of Korea of its combined third and fourth periodic reports on the implementation of the Convention on the Rights of the Child as a sign of engagement in international cooperative efforts in the field of human rights,

Taking note of the concluding observations of the treaty monitoring bodies under the four treaties to which the Democratic People's Republic of Korea is a party, the most recent of which were given by the Committee on the Elimination of Discrimination against Women in July 2005,[394]

Noting with appreciation the collaboration established between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country, and the collaboration established with the United Nations Children's Fund in order to improve the quality of education for children, as well as the recent request by the Government of the Democratic People's Republic of Korea to the World Food Programme for increased food assistance and the expanded access and improved working conditions granted,

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[390] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America

[391] See resolution 2200 A (XXI), annex.

[392] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[393] Ibid., vol. 1249, No. 20378.

[394] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 38* (A/60/38), part two, paras. 26–76.

Noting that the Democratic People's Republic of Korea and the United Nations Development Programme have started consultations regarding possible resumption of the activities of the Programme in the country,

Recalling its resolutions 60/173 of 16 December 2005, 61/174 of 19 December 2006 and 62/167 of 18 December 2007, Commission on Human Rights resolutions 2003/10 of 16 April 2003,[395] 2004/13 of 15 April 2004[396] and 2005/11 of 14 April 2005,[397] Human Rights Council decision 1/102 of 30 June 2006[398] and Council resolution 7/15 of 27 March 2008,[399] and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

Taking note of the report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea,[400] regretting that he was not allowed to visit the country and that he received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution 62/167,[401]

Noting the importance of the inter-Korean dialogue, which could contribute to the improvement of the human rights and humanitarian situation in the Democratic People's Republic of Korea, including by means of securing access,

1. *Expresses its very serious concern* at:

(*a*) The persistence of continuing reports of systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the Democratic People's Republic of Korea, including:

(i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention, public executions, extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; the imposition of the death penalty for political and religious reasons; and the existence of a large number of prison camps and the extensive use of forced labour;

(ii) The situation of refugees and asylum-seekers expelled or returned to the Democratic People's Republic of Korea and sanctions imposed on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, cruel, inhuman or degrading treatment or the death penalty, and in this regard urges all States to respect the fundamental principle of non-refoulement, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to improving the situation of those who seek refuge;

(iii) All-pervasive and severe restrictions on the freedoms of thought, conscience, religion, opinion and expression, peaceful assembly and association, and on equal access to information, by such means as the persecution of individuals exercising their freedom of opinion and expression, and their families;

(iv) Limitations imposed on every person who wishes to move freely within the country and travel abroad, including the punishment of those who leave or try to leave the country without permission, or their families, as well as punishment of persons who are returned by other countries;

(v) The violations of economic, social and cultural rights, which have led to severe malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for persons belonging to vulnerable groups, inter alia, women, children and the elderly;

(vi) Continuing violation of the human rights and fundamental freedoms of women, in particular the trafficking of women for the purpose of prostitution or forced marriage and the subjection of women to human smuggling, forced abortions, gender-based discrimination and violence;

(vii) Continuing reports of violations of the human rights and fundamental freedoms of persons with disabilities, especially on the use of collective camps and of coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children;

(viii) Violations of workers' rights, including the right to freedom of association and collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights,[391] and the prohibition of the economic exploitation of children and of any harmful or hazardous work of children as defined by the obligations of the Democratic People's Republic of Korea under the Convention on the Rights of the Child;[392]

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[395] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[396] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[397] Ibid., *2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[398] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), chap. II, sect. B.

[399] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[400] See A/63/322.

[401] A/63/332.

(*b*) The continued refusal of the Government of the Democratic People's Republic of Korea to recognize the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to him, despite the renewal of the mandate by the Human Rights Council in its resolution 7/15;[399]

2. *Reiterates its very serious concern* at unresolved questions of international concern relating to the abduction of foreigners in the form of enforced disappearance, which violates the human rights of the nationals of other sovereign countries, and in this regard strongly calls upon the Government of the Democratic People's Republic of Korea urgently to resolve these questions, including through existing channels, in a transparent manner, including by ensuring the immediate return of abductees;

3. *Expresses its very deep concern*, while noting the willingness to seek humanitarian assistance, at the precarious humanitarian situation in the country, compounded by the misallocation of resources away from the satisfaction of basic needs and by frequent natural disasters, in particular the prevalence of maternal malnutrition and of infant malnutrition, which, despite recent progress, continues to affect the physical and mental development of a significant proportion of children, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action;

4. *Commends* the Special Rapporteur for the activities undertaken so far and for his continued efforts in the conduct of his mandate despite the limited access to information;

5. *Strongly urges* the Government of the Democratic People's Republic of Korea to respect fully all human rights and fundamental freedoms and, in this regard:

(*a*) To immediately put an end to the systematic, widespread and grave violations of human rights mentioned above, inter alia, by implementing fully the measures set out in the above-mentioned resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, and the recommendations addressed to the Democratic People's Republic of Korea by the United Nations special procedures and treaty bodies;

(*b*) To protect its inhabitants, address the issue of impunity and ensure that those responsible for violations of human rights are brought to justice before an independent judiciary;

(*c*) To tackle the root causes leading to refugee outflows and prosecute those who exploit refugees by human smuggling, trafficking and extortion, while not criminalizing the victims, and to ensure that citizens of the Democratic People's Republic of Korea expelled or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are humanely treated and are not subjected to any kind of punishment;

(*d*) To extend its full cooperation to the Special Rapporteur, including by granting him full, free and unimpeded access to the Democratic People's Republic of Korea, and to other United Nations human rights mechanisms;

(*e*) To engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and her Office, as pursued by the High Commissioner in recent years, with a view to improving the situation of human rights in the country, and to prepare for the universal periodic review of the Democratic People's Republic of Korea by the Human Rights Council, which will be conducted in 2009;

(*f*) To engage in cooperation with the International Labour Organization with a view to significantly improving workers' rights;

(*g*) To continue and reinforce its cooperation with United Nations humanitarian agencies;

(*h*) To ensure full, safe and unhindered access to humanitarian aid and take measures to allow humanitarian agencies to secure its impartial delivery to all parts of the country on the basis of need in accordance with humanitarian principles, as it pledged to do, and to ensure access to adequate food and implement food security policies, including through sustainable agriculture;

6. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its sixty-fourth session, and to this end requests the Secretary-General to submit a comprehensive report on the situation in the Democratic People's Republic of Korea and the Special Rapporteur to continue to report his findings and recommendations.

RESOLUTION 63/191

Adopted at the 71st plenary meeting, on 18 December 2008, on the recommendation of the Committee (A/63/430/Add.3 and Corr.1, para. 30),[402] by a recorded vote of 69 to 54, with 57 abstentions, as follows:

In favour: Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan,

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[402] The draft resolution recommended in the report was sponsored in the Committee by: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America.

Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu

Against: Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Mauritania, Morocco, Myanmar, Nicaragua, Niger, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Serbia, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Togo, Tunisia, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Abstaining: Angola, Antigua and Barbuda, Barbados, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Côte d'Ivoire, Dominica, Dominican Republic, Ethiopia, Georgia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Papua New Guinea, Paraguay, Philippines, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Sierra Leone, Singapore, Solomon Islands, Suriname, Swaziland, Thailand, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Zambia

63/191. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[403] the International Covenants on Human Rights[404] and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 62/168 of 18 December 2007,

1. *Takes note* of the report of the Secretary-General submitted pursuant to its resolution 62/168,[405] which highlights a broad range of serious human rights violations, legal and institutional gaps and impediments to the protection of human rights and which discusses some positive developments in a few areas;

2. *Expresses its deep concern* at serious human rights violations in the Islamic Republic of Iran relating to, inter alia:

(*a*) Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputations;

(*b*) The continuing high incidence of executions carried out in the absence of internationally recognized safeguards, including public executions and executions of juveniles;

(*c*) Persons in prison who continue to face sentences of execution by stoning;

(*d*) Arrests, violent repression and sentencing of women exercising their right to peaceful assembly, a campaign of intimidation against women's human rights defenders, and continuing discrimination against women and girls in law and in practice;

(*e*) Increasing discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise, including, inter alia, Arabs, Azeris, Baluchis, Kurds, Christians, Jews, Sufis and Sunni Muslims and their defenders, and, in particular, attacks on Baha'is and their faith in State-sponsored media, increasing evidence of efforts by the State to identify and monitor Baha'is, preventing members of the Baha'i faith from attending university and from sustaining themselves economically, and the arrest and detention of seven Baha'i leaders without charge or access to legal representation;

(*f*) Ongoing, systemic and serious restrictions of freedom of peaceful assembly and association and freedom of opinion and expression, including those imposed on the media, Internet users and trade unions, and increasing harassment, intimidation and persecution of political opponents and human rights defenders from all sectors of Iranian society, including arrests and violent repression of labour leaders, labour members peacefully assembling and students, in particular with regard to the 2008 Majles electoral process;

(*g*) Severe limitations and restrictions on freedom of religion and belief, including the provision in the proposed draft penal code that sets out a mandatory death sentence for apostasy;

(*h*) Persistent failure to uphold due process of law rights, and violation of the rights of detainees, including the systematic and arbitrary use of prolonged solitary confinement;

3. *Calls upon* the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the report of the Secretary-General and the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations, in law and in practice, in particular:

(*a*) To eliminate, in law and in practice, amputations, flogging and other forms of torture and other cruel, inhuman or degrading treatment or punishment;

(*b*) To abolish, in law and in practice, public executions and other executions carried out in the absence of respect for internationally recognized safeguards;

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[403] Resolution 217 A (III).

[404] Resolution 2200 A (XXI), annex.

[405] A/63/459.

(*c*) To abolish, pursuant to its obligations under article 37 of the Convention on the Rights of the Child[406] and article 6 of the International Covenant on Civil and Political Rights,[404] executions of persons who at the time of their offence were under the age of 18;

(*d*) To abolish the use of stoning as a method of execution;

(*e*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls;

(*f*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise, to refrain from monitoring individuals on the basis of their religious beliefs, and to ensure that access of minorities to education and employment is on par with that of all Iranians;

(*g*) To implement, inter alia, the 1996 report of the Special Rapporteur on religious intolerance,[407] which recommended ways in which the Islamic Republic of Iran could emancipate the Baha'i community;

(*h*) To end the harassment, intimidation and persecution of political opponents and human rights defenders, including by releasing persons imprisoned arbitrarily or on the basis of their political views;

(*i*) To uphold due process of law rights and to end impunity for human rights violations;

4. *Notes* the positive, though limited, gains, developments and steps discussed in the report of the Secretary-General, but remains concerned that many such steps have yet to be implemented in law or in practice;

5. *Further calls upon* the Government of the Islamic Republic of Iran to redress its inadequate record of cooperation with international human rights mechanisms by, inter alia, reporting pursuant to its obligations to the treaty bodies of the instruments to which it is a party and cooperating fully with all international human rights mechanisms, including facilitating visits to its territory of special procedures mandate holders, and encourages the Government of the Islamic Republic of Iran to continue exploring cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

6. *Requests* an update from the Secretary-General on the situation of human rights in the Islamic Republic of Iran, including its cooperation with international human rights mechanisms, at its sixty-fourth session;

7. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

RESOLUTION 63/192

Adopted at the 71st plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.5, para. 8)[408]

63/192. Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

The General Assembly,

Recalling its previous relevant resolutions, the most recent of which was resolution 62/170 of 18 December 2007, as well as relevant resolutions of the Human Rights Council, the Commission for Social Development and the Commission on Human Rights,

1. *Welcomes* the entry into force of the Convention on the Rights of Persons with Disabilities[409] and the Optional Protocol thereto[410] on 3 May 2008;

2. *Also welcomes* the fact that, since the opening for signature of the Convention and the Optional Protocol on 30 March 2007, one hundred and thirty-seven States have already signed and forty-five States have ratified the Convention and eighty States have signed and twenty-seven States have ratified the Optional Protocol, and that one regional integration organization has signed the Convention;

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[406] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[407] See E/CN.4/1996/95/Add.2.

[408] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Mexico, Montenegro, Morocco, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Yemen and Zambia.

[409] Resolution 61/106, annex I.

[410] Ibid., annex II.

3. *Calls upon* those States that have not yet done so to consider signing and ratifying the Convention and the Optional Protocol as a matter of priority;

4. *Welcomes* the holding of the first session of the Conference of States Parties to the Convention on 31 October and 3 November 2008, and the establishment of the Committee on the Rights of Persons with Disabilities;

5. *Also welcomes* the report of the Secretary-General;[411]

6. *Further welcomes* the Joint Statement of Commitment to the Convention of the Inter-Agency Support Group on the Convention;[412]

7. *Invites* the Secretary-General to intensify efforts to assist States to become parties to the Convention and the Optional Protocol, including by providing assistance with a view to achieving universal adherence;

8. *Requests* the Secretary-General to provide the staff and facilities necessary to support the effective performance of the functions of the Conference of States Parties and of the Committee established under the Convention and the Optional Protocol, as well as for the dissemination of information on the Convention and the Optional Protocol, taking into account the provisions of the Convention, in particular on accessibility;

9. *Also requests* the Secretary-General to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, in particular when undertaking renovations, including interim arrangements;

10. *Further requests* the Secretary-General to take further actions to promote the rights of persons with disabilities in the United Nations system in accordance with the Convention, including the retention and recruitment of persons with disabilities;

11. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue to strengthen efforts undertaken to disseminate accessible information on the Convention and the Optional Protocol, including to children and young people to promote their understanding, and to assist States parties in implementing their obligations under those instruments;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the status of the Convention and the Optional Protocol and the implementation of the present resolution.

RESOLUTION 63/193

Adopted at the 71st plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/431, para. 26)[413]

63/193. Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, and its resolution 62/173 of 18 December 2007 on the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which it, inter alia, accepted with gratitude the offer of the Government of Brazil to act as host to the Twelfth Congress,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Twelfth Congress is to be held in 2010,

Bearing in mind the guidelines for and the format of United Nations congresses, as stipulated in paragraph 2 of its resolution 56/119, as well as paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, annexed to its resolution 46/152,

Bearing in mind also the conclusions and recommendations contained in the report of the meeting of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice, held in Bangkok from 15 to 18 August 2006,[414] which the General Assembly endorsed in its resolution 62/173,

Recognizing the significant contributions of the United Nations congresses on crime prevention and criminal justice in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

Recalling that, in its resolution 62/173, it requested the Commission on Crime Prevention and Criminal Justice, at its seventeenth session, to finalize the programme for the Twelfth Congress and to make its final recommendations on the theme and on the organization of round tables and workshops to be held by panels of experts, through the Economic and Social Council, to the General Assembly,

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[411] A/63/264 and Corr.1.

[412] Available from www.un.org/disabilities/documents/iasg/soc.pdf.

[413] The draft resolution recommended in the report was submitted by the Economic and Social Council.

[414] E/CN.15/2007/6.

Recalling also that, in its resolution 62/173, it requested the Secretary-General to prepare a discussion guide for the regional preparatory meetings for the Twelfth Congress,

Recalling further its resolution 60/177 of 16 December 2005, in which it endorsed the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice adopted by the Eleventh Congress, as contained in the annex to that resolution, and Economic and Social Council resolution 2005/15 of 22 July 2005, in which the Council endorsed the Bangkok Declaration,

Stressing the importance of undertaking all preparatory activities for the Twelfth Congress in a timely and concerted manner,

Having considered the report of the Secretary-General on the follow-up to the Eleventh Congress and preparations for the Twelfth Congress,[415]

1. *Notes* the progress made thus far in the preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice;

2. *Decides* to hold the Twelfth Congress in Salvador, Brazil, from 12 to 19 April 2010, with pre-Congress consultations to be held on 11 April 2010;

3. *Also decides* that the high-level segment of the Twelfth Congress shall be held during the last two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main substantive agenda items of the Congress;

4. *Further decides* that the main theme of the Twelfth Congress shall be "Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world";

5. *Approves* the following provisional agenda for the Twelfth Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its seventeenth session:

   1. Opening of the Congress.
   2. Organizational matters.
   3. Children, youth and crime.
   4. Provision of technical assistance to facilitate the ratification and implementation of the international instruments related to the prevention and suppression of terrorism.
   5. Making the United Nations guidelines on crime prevention work.
   6. Criminal justice responses to the smuggling of migrants and trafficking in persons: links to transnational organized crime.
   7. International cooperation to address money-laundering based on existing and relevant United Nations and other instruments.
   8. Recent developments in the use of science and technology by offenders and by competent authorities in fighting crime, including the case of cybercrime.
   9. Strengthening international cooperation in fighting crime-related problems: practical approaches.
   10. Crime prevention and criminal justice responses to violence against migrants, migrant workers and their families.
   11. Adoption of the report of the Congress;

6. *Decides* that the following issues shall be considered in workshops within the framework of the Twelfth Congress:

(*a*) International criminal justice education for the rule of law;

(*b*) Survey of United Nations and other best practices in the treatment of prisoners in the criminal justice system;

(*c*) Practical approaches to preventing urban crime;

(*d*) Links between drug trafficking and other forms of organized crime: international coordinated response;

(*e*) Strategies and best practices against overcrowding in correctional facilities;

7. *Requests* the Secretary-General, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to prepare a discussion guide for the regional preparatory meetings for the Twelfth Congress in a timely manner in order to enable the regional preparatory meetings to commence early in 2009, and invites Member States to be actively involved in that process;

8. *Urges* participants in the regional preparatory meetings to examine the substantive items on the agenda and the topics of the workshops of the Twelfth Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Twelfth Congress and the Commission at its nineteenth session;

9. *Emphasizes* the importance of the workshops to be held within the framework of the Twelfth Congress, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and the institutes of the United

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[415] E/CN.15/2008/14.

Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

10. *Invites* donor countries to cooperate with developing countries to ensure their full participation, in particular in the workshops;

11. *Requests* the Secretary-General to prepare a plan for the documentation for the Twelfth Congress, in consultation with the extended Bureau of the Commission;

12. *Reiterates its request* to the Secretary-General to facilitate the organization of regional preparatory meetings for the Twelfth Gongress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice;

13. *Encourages* Governments to undertake preparations for the Twelfth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to focused and productive discussion on the topics to be discussed in the workshops and to participating actively in the organization of and follow-up to the workshops;

14. *Reiterates its invitation* to Member States to be represented at the Twelfth Congress at the highest possible level, for example, by Heads of State or Government or Government ministers and attorneys general, to make statements on the theme and topics of the Congress and to participate in thematic interactive round tables;

15. *Requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Twelfth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

16. *Again encourages* the relevant specialized agencies, United Nations programmes and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Twelfth Congress;

17. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Twelfth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

18. *Requests* the Commission to accord sufficient time at its eighteenth session to reviewing the progress made in the preparations for the Twelfth Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its recommendations to the General Assembly through the Economic and Social Council;

19. *Requests* the Secretary-General to ensure the proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission at its eighteenth session.

RESOLUTION 63/194

Adopted at the 71st plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/431, para. 26)[416]

63/194. Improving the coordination of efforts against trafficking in persons

The General Assembly,

Recalling its resolution 61/180 of 20 December 2006 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons and other contemporary forms of slavery,

Recalling also Economic and Social Council resolution 2008/33 of 25 July 2008 on strengthening coordination of the United Nations and other efforts in fighting trafficking in persons and previous Council resolutions on trafficking in persons,

Recalling further the United Nations Convention against Transnational Organized Crime[417] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[418] the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[419] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[420]

Welcoming the progress made at the fourth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, and taking note of the decisions of the Conference on the issue of trafficking in persons,

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[416] The draft resolution recommended in the report was sponsored in the Committee by: Bahamas, Bahrain, Belarus, Ecuador, El Salvador, Jamaica, Kazakhstan, Lebanon, Mauritius (on behalf of the States Members of the United Nations that are members of the Group of African States), Mexico, Philippines, Qatar, Russian Federation, Saudi Arabia, Tajikistan, Thailand, United Arab Emirates and Uzbekistan.

[417] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[418] Ibid., vol. 2237, No. 39574.

[419] Ibid., vol. 2171, No. 27531.

[420] Ibid., vol. 266, No. 3822.

Recognizing that trafficking in persons impairs the enjoyment of human rights, continues to pose a serious challenge to humanity and requires a concerted international response,

Welcoming the decisions of the Human Rights Council to establish the mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences,[421] and to extend the mandates of the Special Rapporteur on trafficking in persons, especially women and children[422] and the Special Rapporteur on the sale of children, child prostitution and child pornography,[423]

Recognizing that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Recognizing also the need to continue fostering a global partnership against trafficking in persons and other contemporary forms of slavery,

Recognizing further that the provision of effective support to the work of the Conference of the Parties to the Convention should be an important part of the coordination efforts of the United Nations system on the issue of trafficking in persons,

Recognizing the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Reaffirming the commitment made by world leaders at the Millennium Summit[424] and the 2005 World Summit[425] to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims,

1. *Urges* Member States that have not yet done so to consider taking measures to ratify or accede to the United Nations Convention against Transnational Organized Crime[417] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[418] and to implement fully all aspects of those instruments;

2. *Also urges* Member States that have not yet done so to consider taking measures to ratify or accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[419] the Convention on the Elimination of All Forms of Discrimination against Women[426] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[420] and to implement fully all aspects of those instruments;

3. *Recognizes* that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery;

4. *Welcomes* the steps taken by human rights treaty bodies and the Special Rapporteur on trafficking in persons, especially women and children, United Nations agencies and other concerned intergovernmental and governmental organizations, within their mandates, as well as civil society, to address the problem of trafficking in persons, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible;

5. *Calls upon* Governments to continue their efforts to criminalize trafficking in persons in all its forms, including for the sexual exploitation of children, to take measures to criminalize child sex tourism, to condemn the practice of trafficking in persons, and to investigate, prosecute, condemn and penalize traffickers and intermediaries, while providing protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

6. *Encourages* all stakeholders, including the private sector, to strengthen the coordination of efforts, including through the Inter-Agency Coordination Group against Trafficking in Persons and regional as well as bilateral initiatives that promote cooperation and collaboration;

7. *Welcomes* the holding of the Vienna Forum to Fight Human Trafficking, from 13 to 15 February 2008, as a part of the awareness-raising efforts to fight human trafficking, and requests the United Nations Office on Drugs and Crime to continue consultations with Member States, to ensure that the Global Initiative to Fight Human Trafficking is carried out as a technical assistance project within the mandates agreed to by the relevant governing bodies and to brief Member States on the workplan of the Global Initiative, to be executed before the end of the project in 2009;

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[421] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A, resolution 6/14.

[422] Ibid., chap. III, sect. A, resolution 8/12.

[423] Ibid., chap. II, resolution 7/13.

[424] See resolution 55/2.

[425] See resolution 60/1.

[426] United Nations, *Treaty Series*, vol. 1249, No. 20378.

8. *Recognizes* the importance of comparable data disaggregated by types of trafficking in persons, sex and age, as well as of strengthening national capacity for the gathering, analysing and reporting of such data, and welcomes the efforts of the Inter-Agency Coordination Group against Trafficking in Persons, drawing on the comparative advantages of the respective agencies, to share information, experiences and good practices on anti-trafficking activities of the partner agencies with Governments, other international and regional organizations, non-governmental organizations and other relevant bodies;

9. *Acknowledges* the important work on data collection and analysis conducted by the United Nations Office on Drugs and Crime under its Global Programme against Trafficking in Human Beings, as well as by the International Organization for Migration through its global Counter-Trafficking Module database;

10. *Takes note* of the discussions at the thematic debate of the General Assembly on human trafficking, held in New York on 3 June 2008, which included a discussion on the advisability of a United Nations strategy or plan of action on preventing trafficking in persons and protecting and assisting victims of trafficking;

11. *Calls upon* the Secretary-General to collect the views of all stakeholders, including Member States and regional and international organizations, on how to achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations, machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and to ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, without prejudice to the mandate of the working group established by the Conference of the Parties to the Convention, and submit, no later than 1 June 2009, a background paper to the General Assembly at its sixty-third session;

12. *Invites* all Member States to accelerate the consideration of the advisability of a global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking, which would achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations, machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

13. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates on combating trafficking in persons, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice, and invites Member States to provide voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of providing assistance to Member States upon request;

14. *Requests* the Secretary-General to submit to the Conference of the Parties to the Convention and the General Assembly at its sixty-fourth session a report on the implementation of the present resolution and on possible approaches to strengthen the coordination efforts against trafficking in persons of the Inter-Agency Coordination Group against Trafficking in Persons.

RESOLUTION 63/195

Adopted at the 71st plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/431, para. 26)[427]

63/195. Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, and its resolution 62/175 of 18 December 2007 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

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[427] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Mongolia, Montenegro, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sudan, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Uruguay.

Recalling also its resolution 60/1 of 16 September 2005 on the 2005 World Summit Outcome, in particular the sections on transnational crime and terrorism,

Taking note with appreciation of the adoption by the Economic and Social Council of the strategy for the period 2008–2011 for the United Nations Office on Drugs and Crime,[428] which aims, inter alia, to enhance its effectiveness and flexibility in providing technical assistance and policy services,

Recalling section XI of its resolution 61/252 of 22 December 2006, entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body", in which the Commission, as the principal United Nations policymaking body on crime prevention and criminal justice issues, was given the authority to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund, and welcoming the outcome of the reconvened sixteenth session of the Commission, held on 29 and 30 November 2007,

Recalling also its resolution 62/173 of 18 December 2007 entitled "Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice",

Recalling further its resolution 62/202 of 19 December 2007 entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption",

Reaffirming its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[429] the United Nations Convention against Corruption[430] and all the international conventions and protocols against terrorism, including those that recently entered into force,

Reaffirming also the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy adopted on 8 September 2006,[431]

Recalling its resolution 61/180 of 20 December 2006 on improving the coordination of efforts against trafficking in persons and the coordinating role of the United Nations Office on Drugs and Crime in this respect,

Recalling also its resolution 62/172 of 18 December 2007 entitled "Technical assistance for implementing the international conventions and protocols related to terrorism",

Taking note with appreciation of the holding of the Vienna Forum to Fight Human Trafficking, from 13 to 15 February 2008, in accordance with decision 16/1 of 27 April 2007 of the Commission on Crime Prevention and Criminal Justice,[432]

Taking into consideration all relevant Economic and Social Council resolutions, in particular resolutions 2008/23, 2008/24 and 2008/25 of 24 July 2008, and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

Emphasizing that its resolution 61/143 of 19 December 2006 on the intensification of efforts to eliminate all forms of violence against women has considerable implications for the United Nations Crime Prevention and Criminal Justice Programme and its activities,

Welcoming the outcome of the thematic discussion on aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice held by the Commission at its seventeenth session, in 2008, pursuant to Economic and Social Council decision 2007/253 of 26 July 2007,

Recalling the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[433]

Recognizing that actions against transnational organized crime and terrorism are a common and shared responsibility, and stressing the need to work collectively to prevent and combat transnational organized crime, corruption and terrorism in all its forms and manifestations,

Recognizing also the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all relevant priorities identified by the General Assembly and the Economic and Social Council,

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[428] See Economic and Social Council resolutions 2007/12 and 2007/19.

[429] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[430] Ibid., vol. 2349, No. 42146.

[431] Resolution 60/288.

[432] See *Official Records of the Economic and Social Council, 2007, Supplement No. 10* (E/2007/30/Rev.1), part one, chap. I, sect. D.

[433] Resolution 60/177, annex.

Concerned by the serious challenges and threats posed by the illicit trafficking in firearms, their parts and components and ammunition, and about its links with other forms of transnational organized crime, including drug trafficking and other criminal activities, in particular terrorism, and reaffirming that, in order to better understand and combat these problems, it is necessary to adopt comprehensive strategies and facilitate close and effective cooperation among States,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 62/175;[434]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices;

3. *Recognizes* the general progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of corruption, organized crime, money-laundering, terrorism, kidnapping and trafficking in persons, including the support and protection of victims, as well as drug trafficking and international cooperation, with special emphasis on extradition and mutual legal assistance;

4. *Urges* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, in accordance with United Nations related instruments and internationally accepted standards, including, where applicable and appropriate, recommendations from relevant intergovernmental bodies, inter alia, the Financial Action Task Force on Money Laundering, and relevant initiatives of regional, interregional and multilateral organizations against money-laundering;

5. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing abilities and strengthening their capacity to prevent and combat kidnapping, and requests the Office to continue developing tools for providing technical assistance and cooperation to effectively counter this growing serious crime;

6. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices and to take advantage of their unique and comparative advantage;

7. *Draws attention* to the emerging policy issues identified in the report of the Secretary-General, inter alia, urban crime, the sexual exploitation of children, economic fraud and identity theft, illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, and, in the context of advisory services and technical assistance, the issue of cybercrime, and invites the United Nations Office on Drugs and Crime to explore, within its mandate, ways and means of addressing these issues, bearing in mind Economic and Social Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007 on the strategy for the period 2008–2011 for the Office;

8. *Urges* Member States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures, in cooperation with the United Nations Crime Prevention and Criminal Justice Programme, to address effectively transnational organized crime, including trafficking in persons, the smuggling of migrants and illicit manufacturing of and transnational trafficking in firearms, as well as corruption and terrorism;

9. *Urges* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address its links with other forms of transnational organized crime, through, inter alia, technical assistance;

10. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against transnational organized crime, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

11. *Urges* all Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocols thereto,[429] the United Nations Convention against Corruption (Merida Convention)[430] and the international conventions and protocols related to terrorism, and encourages States parties to continue to provide full support to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against

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[434] A/63/99.

Corruption, including providing information to the conferences regarding compliance with the treaties;

12. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and requests the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to promote, in an effective manner, the implementation of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption and to discharge its functions as the secretariat of the conferences of the parties to the conventions, in accordance with its mandate;

13. *Requests* the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, as well as to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office with appropriate resources for its mandate;

14. *Takes note with appreciation* of decision 17/1 of 18 April 2008 of the Commission on Crime Prevention and Criminal Justice entitled "Strengthening crime prevention and criminal justice responses to violence against women and girls",[435] in which the Commission requested the United Nations Office on Drugs and Crime to convene an intergovernmental group of experts to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice[436] and to make recommendations on addressing violence against women and girls, to be considered by the Commission at its nineteenth session, and requests the Commission to report through the Economic and Social Council to the General Assembly on the outcome of this work;

15. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

16. *Reiterates* the importance of providing the United Nations Crime Prevention and Criminal Justice Programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and those emerging from conflict, in the area of crime prevention and criminal justice reform;

17. *Welcomes* Commission decision 17/2 of 18 April 2008 entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime",[435] in which the Commission decided to establish an open-ended intergovernmental working group to discuss how to ensure political ownership by the Member States and how to improve the governance structure and financial situation of the Office and to make recommendations thereon, to be submitted to the Commission at its eighteenth session, and requests the Commission to report through the Economic and Social Council to the General Assembly to enable further consideration of and potential action on those recommendations;

18. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission;

19. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session on the implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, reflecting also emerging policy issues and possible responses.

RESOLUTION 63/196

Adopted at the 71st plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/431, para. 26)[437]

63/196. United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 62/174 of 18 December 2007 and all other relevant resolutions,

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[435] See *Official Records of the Economic and Social Council, 2008, Supplement No. 10* (E/2008/30), chap. I, sect. D.

[436] Resolution 52/86, annex.

[437] The draft resolution recommended in the report was sponsored in the Committee by: Costa Rica, Kenya (on behalf of the States Members of the United Nations that are members of the Group of African States) and Nicaragua.

Taking note of the report of the Secretary-General,[438]

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Bearing in mind also the Programme of Action, 2006–2010, endorsed by the Round Table for Africa, held in Abuja on 5 and 6 September 2005,[439]

Aware of the devastating impact of crime on the national economies of African States and of the fact that crime is a major obstacle to harmonious and sustainable development in Africa,

Noting that the financial situation of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including those contained in the Programme of Action, 2006–2010, on strengthening the rule of law and criminal justice systems in Africa;[439]

3. *Further commends* the Secretary-General for his efforts to mobilize the financial resources necessary to provide the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

4. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

5. *Notes* the efforts of the Institute to establish contacts with organizations in those countries which are promoting crime prevention programmes and its maintenance of close links with regional and subregional political entities, such as the African Union Commission, the East African Community, the Commission of the Economic Community of West African States, the Intergovernmental Authority on Development and the Southern African Development Community;

6. *Urges* the States members of the Institute to continue to make every possible effort to meet their obligations to the Institute;

7. *Welcomes* the decision of the Governing Board of the Institute, at its tenth annual meeting, held in Khartoum on 19 and 20 May 2008, to convene a conference of African ministers to discuss measures for improving the flow of resources to the Institute;

8. *Urges* all Member States and non-governmental organizations and the international community to continue adopting concrete practical measures to support the Institute in the development of the requisite capacity and to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

9. *Urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[440] as well as the United Nations Convention against Corruption;[441]

10. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

11. *Also requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

12. *Calls upon* the United Nations Office on Drugs and Crime to continue to work closely with the Institute;

13. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

14. *Also requests* the Secretary-General to continue making concrete proposals, including for the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

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[438] A/63/87.

[439] Available from www.unodc.org/art/en/ppaa.html.

[440] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[441] Ibid., vol. 2349, No. 42146.

RESOLUTION 63/197

Adopted at the 71st plenary meeting, on 18 December 2008, without a vote, on the recommendation of the Committee (A/63/432, para. 13)[442]

63/197. International cooperation against the world drug problem

The General Assembly,

Recalling the United Nations Millennium Declaration,[443] the provisions of the 2005 World Summit Outcome[444] addressing the world drug problem, its resolution 62/176 of 18 December 2007 and its other previous relevant resolutions,

Reaffirming the Political Declaration adopted by the General Assembly at its twentieth special session[445] and the importance of meeting the objectives targeted for 2008,

Reaffirming also the joint ministerial statement adopted at the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[446] the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction[447] and the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development adopted by the General Assembly at its twentieth special session,[448]

Recalling that, in its resolution 62/176, it welcomed the decision by the Commission on Narcotic Drugs to convene a high-level segment, during its fifty-second session, in order to allow time to assess the implementation of the declarations and measures adopted by the General Assembly at its twentieth special session,[449]

Gravely concerned that, despite continued increased efforts by States, relevant organizations, civil society and non-governmental organizations, the world drug problem continues to constitute a serious threat to public health and safety and the well-being of humanity, in particular children and young people and their families, and to the national security and sovereignty of States, and that it undermines socio-economic and political stability and sustainable development,

Concerned by the serious challenges and threats posed by the continuing links between illicit drug trafficking and terrorism and other national and transnational criminal activities and transnational criminal networks, inter alia, trafficking in human beings, especially women and children, money-laundering, financing of terrorism, corruption, trafficking in arms and trafficking in chemical precursors, and reaffirming that strong and effective international cooperation is needed to counter these threats,

Recalling Commission on Narcotic Drugs resolution 51/10 of 14 March 2008,[450] in which the Commission emphasized the importance of further national and international measures to counter trafficking in substances used as precursors in the illicit manufacture of narcotic drugs and psychotropic substances, including synthetic drugs,

Recalling also Commission on Narcotic Drugs resolution 51/11 of 14 March 2008,[450] in which the Commission recognized the increasing links between illicit drug trafficking and illicit manufacturing of and trafficking in firearms,

Underlining the value of objective, scientific, balanced and transparent assessment by Member States of the global progress achieved and of the difficulties encountered in meeting the goals and targets set by the General Assembly at its twentieth special session,

Reaffirming that countering the world drug problem in all its aspects requires a political commitment to reducing supply, as an integral component of a balanced and comprehensive drug control strategy under the principles enshrined in the Political Declaration adopted by the General Assembly at its twentieth special session and in the measures to enhance international cooperation to counter the drug problem,[451] including the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, adopted at that session,

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[442] The draft resolution recommended in the report was sponsored in the Committee by: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Brunei Darussalam, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ghana, Guatemala, Guyana, Haiti, Honduras, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Republic of Korea, Republic of Moldova, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Uganda, United Republic of Tanzania, United States of America and Uruguay.

[443] See resolution 55/2.

[444] See resolution 60/1.

[445] Resolution S-20/2, annex.

[446] See *Official Records of the Economic and Social Council, 2003, Supplement No. 8* (E/2003/28/Rev.1), chap. I, sect. C; see also A/58/124, sect. II.A.

[447] Resolution 54/132, annex.

[448] Resolution S-20/4 E.

[449] See resolutions S-20/2, S-20/3 and S-20/4 A–E.

[450] See *Official Records of the Economic and Social Council, 2008, Supplement No. 8* (E/2008/28), chap. I, sect. C.

[451] Resolutions S-20/4 A–E.

Reaffirming equally that reducing illicit drug use and its consequences requires a political commitment to efforts to reduce demand, which must be demonstrated by sustained widespread demand reduction initiatives that integrate a comprehensive public health approach spanning the spectrum of prevention, education, early intervention, treatment, recovery support, rehabilitation and reintegration efforts in accordance with the Declaration on the Guiding Principles of Drug Demand Reduction adopted by the General Assembly at its twentieth special session,[452]

Recognizing the importance of the effective evaluation of comprehensive strategies, including alternative development programmes, at the national and international levels to combat the world drug problem,

Recognizing also that international cooperation in countering drug abuse and illicit production and trafficking has shown that positive results can be achieved through sustained and collective efforts, and expressing its appreciation for the initiatives in this regard,

Bearing in mind the important role that civil society, including non-governmental organizations, plays in combating the world drug problem, and noting that there are various initiatives at all levels undertaken in this regard, in particular the "Beyond 2008" process, which provided an opportunity for non-governmental organizations to contribute to the review of the twentieth special session of the General Assembly,

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International cooperation to counter the world drug problem and follow-up to the twentieth special session

1. *Reaffirms* that countering the world drug problem is a common and shared responsibility that must be addressed in a multilateral setting, requires an integrated and balanced approach and must be carried out in full conformity with the purposes and principles of the Charter of the United Nations and other provisions of international law, and in particular with full respect for the sovereignty and territorial integrity of States, for the principle of non-intervention in the internal affairs of States and for all human rights and fundamental freedoms, and on the basis of the principles of equal rights and mutual respect;

2. *Also reaffirms* that there shall be a balanced approach between demand reduction and supply reduction, each to reinforce the other in an integrated approach to solving the world drug problem;

3. *Welcomes* the adoption, by the Commission on Narcotic Drugs on 14 March 2008, of resolution 51/4,[450] by which the Commission decided to establish five open-ended intergovernmental expert working groups, which were convened from June to September 2008, to work in a coordinated manner on the topics of drug demand reduction, supply reduction, countering money-laundering and promoting judicial cooperation, international cooperation on the eradication of illicit drug crops and on alternative development, and control of precursors and of amphetamine-type stimulants, topics which correspond to the subjects of the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,[448] the Declaration on the Guiding Principles of Drug Demand Reduction[452] and the measures to enhance international cooperation to counter the drug problem,[451] adopted by the General Assembly at its twentieth special session;

4. *Notes* that 2009 marks the centennial of the convening of the International Opium Commission, which was the first multilateral initiative on drug control, and in this regard looks forward to the commemorative event to be held on 26 February 2009 in Shanghai, China;

5. *Calls upon* States and other relevant actors to evaluate progress made since 1998 towards meeting the goals and targets set at the twentieth special session of the General Assembly;

6. *Urges* all States to continue to promote and implement, including by allocating adequate resources and developing clear and consistent national policies, the outcomes of the twentieth special session of the General Assembly,[449] as well as the outcome of the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[446] to implement the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction[447] and to strengthen their national efforts to counter the abuse of illicit drugs in their populations, taking into account, inter alia, the results of the assessment of the implementation of the declarations and measures adopted by the Assembly at its twentieth special session;

7. *Urges* States that have not done so to consider ratifying or acceding to, and States parties to implement, as a matter of priority, all the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[453]

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[452] Resolution S-20/3, annex.

[453] United Nations, *Treaty Series*, vol. 976, No. 14152.

the Convention on Psychotropic Substances of 1971,[454] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[455] the United Nations Convention against Transnational Organized Crime and the Protocols thereto[456] and the United Nations Convention against Corruption;[457]

8. *Urges* all States to strengthen their efforts to achieve the goals set for 2003 and 2008 at the twentieth special session of the General Assembly by:

(*a*) Promoting national and international initiatives to eliminate or reduce significantly the illicit manufacture, trafficking and marketing of drugs and other psychotropic substances, including synthetic drugs, and the diversion of precursors, other transnational criminal activities, including money-laundering and trafficking in arms, and corruption;

(*b*) Achieving significant and measurable results in the field of demand reduction, including through prevention and treatment strategies and programmes to reduce drug use, with particular focus on children and young people, and recognizing the role that the family plays in this regard;

9. *Encourages* States to consider prevention, treatment and rehabilitation of drug use disorders and to take measures to reduce the social and health consequences of drug abuse as governmental health and social priorities, consulting and working with civil society, including non-governmental organizations, and recognizing the role played by the family, in developing, implementing and evaluating policies and programmes, in particular those related to demand reduction and prevention of drug abuse, with particular focus on children and young people, and also to consider cooperating with civil society, including non-governmental organizations, in alternative development programmes;

10. *Calls upon* States and organizations with expertise in community capacity-building to provide, as needed, access to treatment, health care and social services for drug users, in particular those living with HIV/AIDS and other blood-borne diseases, and to extend support to States requiring such expertise, consistent with the international drug control treaties;

11. *Urges* all Member States to implement the Action Plan for the Implementation of the Declaration of the Guiding Principles of Drug Demand Reduction and to strengthen their national efforts to counter the abuse of illicit drugs in their populations, in particular among children and young people;

12. *Encourages* Member States to identify drug control priorities to be set for future concerted action and to consider making voluntary public commitments to tackle present challenges in drug trafficking;

13. *Calls upon* States to expand demand reduction measures, including prevention, treatment and rehabilitation, while fully respecting the dignity of drug-addicted persons, and to take further action to improve data collection and evaluation capacity on the demand for illicit drugs, including the demand for synthetic drugs, and, where appropriate, abuse of and addiction to prescription drugs;

14. *Urges* States to continue working towards achieving a significant and measurable reduction of drug abuse and to share the results obtained on this subject during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs that will be held in March 2009;

15. *Encourages* Member States to take effective measures at the national, regional and international levels and to promote close international cooperation to prevent criminal organizations, in particular those involved in drug trafficking, from acquiring and using firearms, their parts and components and ammunition, in order to enhance public security;

16. *Reaffirms* the need for a comprehensive approach to the elimination of illicit narcotic crops in line with the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development adopted by the General Assembly at its twentieth special session;

17. *Calls for* a comprehensive approach integrating alternative development programmes, including, where appropriate, preventive and innovative alternative development, into wider economic and social development programmes, with the support of a deeper international cooperation and the participation of civil society, including non-governmental organizations, and the private sector, as appropriate;

18. *Invites* States to sustain and increase international cooperation and, where needed, technical assistance to countries implementing policies and programmes against drug production, including illicit crop eradication and alternative development programmes;

19. *Recognizes* the significant role played by developing countries with extensive expertise in alternative development and the importance of outreach activities aimed at promoting a set of best practices and lessons learned in that area and sharing those best practices and lessons learned with States affected by illicit crop cultivation, including those emerging from conflict, with a view to using them, where appropriate, in accordance with the national specificities of each State;

20. *Invites* Member States, where alternative development programmes are implemented, to share their best practices and lessons learned, as well as the qualitative and quantitative impacts of those programmes, during the high-level

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[454] Ibid., vol. 1019, No. 14956.

[455] Ibid., vol. 1582, No. 27627.

[456] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[457] Ibid., vol. 2349, No. 42146.

segment of the fifty-second session of the Commission on Narcotic Drugs, in March 2009;

21. *Stresses* the importance of the contribution of the United Nations system and the international community to the economic and social development of the communities that benefit from innovative alternative programmes to eradicate illicit drug production, inter alia, in reforestation, agriculture and small and medium-sized enterprises;

22. *Encourages* States to establish comprehensive national monitoring systems and to enhance regional, international and multisectoral cooperation, including with industry, to prevent the diversion, manufacture, trafficking and abuse of amphetamine-type stimulants and their precursors;

23. *Calls upon* States to consider ways to strengthen mechanisms for the collection and sharing of information on trafficking in precursors, in particular for making seizures, preventing diversions, detaining consignments, dismantling laboratories and assessing emerging trafficking and diversion trends, new manufacturing methods and the use of non-controlled substances, with a view to enhancing the effectiveness of the international control framework;

24. *Emphasizes* the need to ensure that adequate mechanisms are in place, where necessary and to the extent possible, to prevent the diversion of preparations containing substances listed in tables I and II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, pertaining to illicit drug manufacture, which could easily be used or recovered by readily applicable means, in particular those containing ephedrine and pseudoephedrine;

25. *Urges* all States and relevant international organizations to cooperate closely with the International Narcotics Control Board, in particular in Project Cohesion and Project Prism, in order to enhance the success of those international initiatives, and to initiate, where appropriate, investigations by their law enforcement authorities into seizures and cases involving the diversion or smuggling of precursors and essential equipment, with a view to tracking them back to the source of diversion in order to prevent continuing illicit activity;

26. *Stresses* that international cooperation on domestic precursor policies and practices would assist in complementing existing law enforcement cooperative initiatives, and encourages States to cooperate at the regional level on measures to prevent and control the domestic diversion of precursors, drawing on best practices and sharing experiences;

27. *Recognizes* that the illegal distribution of pharmaceutical products containing substances under international control via the Internet is a serious problem, and encourages Member States to notify the International Narcotics Control Board of seizures of pharmaceutical products or counterfeit drugs containing substances under international control that are ordered via the Internet and received by mail so that it may conduct a detailed analysis of trafficking trends, and encourages the Board to continue its work with a view to raising awareness of and preventing the misuse of the Internet for the illegal supply, sale and distribution of internationally controlled licit substances;

28. *Calls upon* States to implement and strengthen, as appropriate, the measures to promote judicial cooperation adopted at the twentieth special session of the General Assembly,[458] in particular with regard to mutual legal assistance, exchange of information and joint operations, as appropriate, including with technical assistance from the United Nations Office on Drugs and Crime;

29. *Calls upon* Member States to strengthen international cooperation among judicial and law enforcement authorities at all levels in order to prevent and combat illicit drug trafficking and to share and promote best operational practices in order to interdict illicit drug trafficking, including by establishing and strengthening regional mechanisms, providing technical assistance and establishing effective methods for cooperation, in particular in the areas of air, maritime, port and border control and in the implementation of extradition treaties, while respecting international human rights obligations;

30. *Urges* States to strengthen action, in particular international cooperation and technical assistance aimed at preventing and combating the laundering of proceeds derived from drug trafficking and related criminal activities, with the support of the United Nations system, international institutions such as the World Bank and the International Monetary Fund, as well as regional development banks and, where appropriate, the Financial Action Task Force on Money Laundering and similarly styled regional bodies, to develop and strengthen comprehensive international regimes to combat money-laundering and its possible links with organized crime and the financing of terrorism, and to improve information-sharing among financial institutions and agencies in charge of preventing and detecting the laundering of those proceeds;

31. *Encourages* Member States that have not done so to consider updating their legal and regulatory frameworks and establishing financial investigation units and, to that end, to seek technical assistance, including from the United Nations Office on Drugs and Crime, in particular regarding the identification,

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[458] See resolution S-20/4 C.

freezing, seizing and confiscation of the proceeds of crime, in order to effectively prevent and combat money-laundering;

32. *Considers* that the outcomes of the open-ended intergovernmental expert working groups established by the Commission on Narcotic Drugs in its resolution 51/4,[450] and their conclusions, to be taken into account by the Commission at its intersessional meetings, may contribute to the preparation of a political declaration and, as appropriate, other declarations and measures to enhance international cooperation for consideration and adoption at the high-level segment of the fifty-second session of the Commission, in 2009;

33. *Urges* Member States to be represented at the highest possible level at the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, and to reaffirm their commitment to combating the world drug problem and to endorse the principles and goals set by the General Assembly at its twentieth special session, with a view to enhancing cooperative efforts in this regard;

34. *Also urges* Member States to identify, on the basis of the results of the process to review the declarations and measures adopted by the General Assembly at its twentieth special session, future priorities and areas requiring further action, as well as goals and targets to be set in countering the world drug problem beyond 2009;

35. *Requests* the Commission on Narcotic Drugs to forward to the General Assembly, through the Economic and Social Council, the results of the high-level segment of the fifty-second session of the Commission on the progress achieved in meeting the goals and targets set in the Political Declaration adopted by the General Assembly at its twentieth special session;[445]

36. *Decides* to consider the results of the high-level segment of the fifty-second session of the Commission on Narcotic Drugs at a plenary meeting of the General Assembly at its sixty-fourth session;

II

Action by the United Nations system

37. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against drug trafficking, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in combating the world drug problem;

38. *Welcomes* the work carried out by the United Nations Office on Drugs and Crime, and requests the Office to continue to carry out its mandate in accordance with previous relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Narcotic Drugs, in close cooperation with other relevant United Nations organizations and programmes, such as the World Health Organization, the United Nations Development Programme and the Joint United Nations Programme on HIV/AIDS;

39. *Welcomes also* the decision of the United Nations Office on Drugs and Crime to share relevant decisions of the Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS with Member States at the session of the Commission on Narcotic Drugs held in the first half of each year, starting with the fifty-second session, in order to promote better coordination and alignment of the response to HIV and to scale up efforts towards the goal of universal access to comprehensive prevention, care, treatment and support services for drug users;

40. *Notes* that the International Narcotics Control Board needs sufficient resources to carry out all its mandates, reaffirms the importance of its work, encourages it to continue to carry out its work in accordance with its mandate, urges Member States to commit themselves in a common effort to assigning adequate and sufficient budgetary resources to the Board, in accordance with Economic and Social Council resolution 1996/20 of 23 July 1996, emphasizes the need to maintain its capacity, inter alia, through the provision of appropriate means by the Secretary-General and adequate technical support from the United Nations Office on Drugs and Crime, and calls for enhanced cooperation and understanding between Member States and the Board to enable it to implement all its mandates under the international drug control conventions;

41. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have drug control mandates, as appropriate, in order to share best practices and to take advantage of their unique comparative advantage;

42. *Requests* the United Nations Office on Drugs and Crime to carry out, at the request of Member States, training programmes to support the adoption of sound methods and to harmonize indicators used for statistics on drug use, which have already been considered by the Statistical Commission, in order to collect and analyse comparable data on drug abuse;

43. *Urges* all Governments to provide the fullest possible financial and political support to the United Nations Office on Drugs and Crime by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, so as to enable it to continue, expand and strengthen its operational and technical cooperation activities,

within its mandates, and recommends that a sufficient share of the regular budget of the United Nations be allocated to the Office to enable it to carry out its mandates and to work towards securing assured and predictable funding;

44. *Takes note* of the outcomes of the fifty-first session of the Commission on Narcotic Drugs,[459] the *World Drug Report 2008* of the United Nations Office on Drugs and Crime[460] and the most recent report of the International Narcotics Control Board,[461] and calls upon States to strengthen international and regional cooperation to counter the threat to the international community caused by the illicit production of and trafficking in drugs and to continue to take concerted measures such as the framework of the Paris Pact[462] and other relevant international initiatives;

45. *Encourages* the meetings of Heads of National Drug Law Enforcement Agencies and of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs to continue to contribute to the strengthening of regional and international cooperation, taking into account the outcomes of the twentieth special session of the General Assembly[449] and the joint ministerial statement adopted at the ministerial segment of the forty-sixth session of the Commission;[446]

46. *Encourages* the Commission on Narcotic Drugs, as the global coordinating body in international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime, and the International Narcotics Control Board to continue their useful work on the control of precursors and other chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances;

47. *Calls upon* the relevant United Nations agencies and entities, and other international organizations, and invites international financial institutions, including regional development banks, to mainstream drug control issues into their programmes, and calls upon the United Nations Office on Drugs and Crime to maintain its leading role by providing relevant information and technical assistance;

48. *Takes note* of the report of the Secretary-General,[463] and requests the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution.

RESOLUTION 63/241

Adopted at the 74th plenary meeting, on 24 December 2008, on the recommendation of the Committee (A/63/426, para. 18),[464] by a recorded vote of 159 to 1, with no abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: United States of America

Abstaining: None

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[459] See *Official Records of the Economic and Social Council, 2008, Supplement No. 8* (E/2008/28).

[460] United Nations publication, Sales No. E.08.XI.11.

[461] United Nations publication, Sales No. E.08.XI.1.

[462] See S/2003/641, annex.

[463] A/63/111.

[464] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Italy, Jamaica, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

63/241. Rights of the child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 62/141 of 18 December 2007, and its resolution 62/140 of 18 December 2007, as well as Human Rights Council resolution 7/29 of 28 March 2008,[465]

Emphasizing that the Convention on the Rights of the Child[466] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[467] as well as other human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[468] the United Nations Millennium Declaration[469] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[470] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[471] the Dakar Framework for Action adopted at the World Education Forum,[472] the Declaration on Social Progress and Development,[473] the Universal Declaration on the Eradication of Hunger and Malnutrition,[474] the Declaration on the Right to Development[475] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York on 11 to 13 December 2007,[476]

Recognizing the link between an improved situation for children and achieving the internationally agreed development goals, including the Millennium Development Goals, in particular those related to education, poverty eradication, gender equality, reduction of child mortality and global partnership for development, and welcoming in this context the outcomes of the high-level event on the Millennium Development Goals, held in New York on 25 September 2008,

Recognizing also the importance of the integration of child rights issues into the follow-up of the outcome documents of all major United Nations conferences, special sessions and summits,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[477] and on the status of the Convention on the Rights of the Child and the issues raised in Assembly resolution 62/141,[478] as well as the report of the Committee on the Rights of the Child,[479]

Recognizing the importance of incorporating a child-protection perspective across the human rights agenda, as highlighted in the 2005 World Summit Outcome,[480]

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities,[481] and the attention paid to children in this international instrument,

Noting with appreciation the attention paid to children in the International Convention for the Protection of All Persons from Enforced Disappearance,[482] and stressing the importance of its entry into force,

Noting with appreciation also the attention paid to children in the United Nations Declaration on the Rights of Indigenous Peoples,[483]

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

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[465] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[466] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[467] Ibid., vols. 2171 and 2173, No. 27531.

[468] A/CONF.157/24 (Part I), chap. III.

[469] See resolution 55/2.

[470] Resolution S-27/2, annex.

[471] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[472] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

[473] See resolution 2542 (XXIV).

[474] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[475] Resolution 41/128, annex.

[476] See resolution 62/88.

[477] A/63/308.

[478] A/63/160.

[479] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 41* (A/63/41).

[480] See resolution 60/1, para. 128.

[481] Resolution 61/106, annex I.

[482] Resolution 61/177, annex.

[483] Resolution 61/295, annex.

Reiterating that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, and recognizing that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children, and that urgent national and international action is therefore required to eliminate it,

Reaffirming that democracy, development, peace and security, and the full and effective enjoyment of all human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

Reaffirming also the need for mainstreaming a gender perspective in all policies and programmes relating to children, and recognizing the child as a rights holder in all policies and programmes relating to children,

Bearing in mind that 2009 marks the twentieth anniversary of the adoption of the Convention on the Rights of the Child and the fiftieth anniversary of the adoption of the Declaration of the Rights of the Child,[484] which provided a foundation for the Convention, and considering that these anniversaries are suitable occasions for strengthening the efforts of Member States to promote the rights of the child,

I

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents;

2. *Urges* States that have not yet done so to become parties to the Convention on the Rights of the Child[466] and the Optional Protocols thereto[467] as a matter of priority and to implement them fully by, inter alia, putting in place effective national legislation, policies and action plans, strengthening relevant governmental structures for children and ensuring adequate and systematic training in the rights of the child for all those working with and for children, as well as ensuring child rights education for children themselves;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[468]

4. *Calls upon* States to designate, establish or strengthen governmental structures for children, including, where appropriate, ministers in charge of child and youth issues and independent ombudspersons for children or other institutions for the promotion and protection of the rights of the child;

5. *Welcomes* the work of the Committee on the Rights of the Child, and calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations on the implementation of the Convention;

6. *Takes note with appreciation* of the initiatives undertaken by the Committee aimed at promoting a better understanding of and fuller compliance with the rights enshrined in the Convention, namely, through the organization of days of general discussion and the adoption of general comments;

7. *Requests* all relevant organs and mechanisms of the United Nations system regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff are trained in child rights matters, and calls upon States to continue to cooperate closely with all those organs and mechanisms, in particular the special rapporteurs and special representatives of the United Nations system;

8. *Encourages* States to strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

II

Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

9. *Calls upon* all States:

(*a*) To ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

(*b*) To provide special support and ensure equal access to services for all children, noting with concern the large number of children who are among the victims of racism, racial discrimination, xenophobia and related intolerance, and stressing the need to incorporate special measures, in accordance with the principles of the best interests of the child and respect for his or her views and the child's gender-specific needs, in education programmes and programmes to combat such practices;

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[484] See resolution 1386 (XIV).

(*c*) To take all necessary and effective measures, including legal reforms where appropriate, to eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, early marriage, marriage without the free and full consent of the intending spouses and forced sterilization, by enacting and enforcing legislation and, where appropriate, by formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to protect girls;

(*d*) To ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities, in both the public and the private spheres, including by ensuring that the principle of the best interests of the child and the rights of children with disabilities are integrated into policies and programmes for children, including their rights to education, to the highest attainable standard of physical and mental health and to protection from violence, abuse and neglect, and to develop and, where it already exists, enforce legislation to prohibit discrimination against them in order to ensure their inherent dignity, to promote their self-reliance and to facilitate their full and active participation and inclusion in their communities, taking into account the particular situation of children with disabilities who may be subject to multiple or aggravated forms of discrimination, including girls with disabilities and children with disabilities living in poverty;

10. *Urges* all States to respect and promote the right of girls and boys to express themselves freely, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them and to involve children, including children with special needs, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives;

11. *Also urges* all States in particular to strengthen the participation of children and adolescents in planning and implementation relating to matters that affect them, such as health, environment, education, social and economic welfare and protection against violence, abuse and exploitation;

Registration, family relations and adoption or other forms of alternative care

12. *Once again urges* all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child[466] to preserve the child's identity, including nationality, name and family relations, as recognized by law, to allow for the registration of the child immediately after birth, to ensure that registration procedures are simple, expeditious and effective and provided at minimal or no cost and to raise awareness of the importance of birth registration at the national, regional and local levels;

13. *Encourages* States to adopt and enforce laws and improve the implementation of policies and programmes to protect children growing up without parents or caregivers, recognizing that, where alternative care is necessary, family- and community-based care should be promoted over placement in institutions, and in this context invites States to dedicate all their efforts, in a transparent process, with a view to possible action on the draft United Nations guidelines for the appropriate use and conditions of alternative care for children at the tenth session of the Human Rights Council;

14. *Calls upon* States to guarantee, to the extent consistent with the obligations of each State, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing enforceable means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

15. *Also calls upon* States to address and pay particular attention to cases of international parental or familial child abduction, and encourages States to engage in multilateral and bilateral cooperation to resolve those cases, preferably by accession to or ratification of the Hague Convention on the Civil Aspects of International Child Abduction,[485] and to comply fully with the Convention, and to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

16. *Further calls upon* States to take all necessary measures to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

Economic and social well-being of children

17. *Calls upon* States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field;

Eradication of poverty

18. *Calls upon* States to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all these levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the United Nations Millennium Declaration,[469] are realized within their time framework, and reaffirms that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

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[485] United Nations, *Treaty Series*, vol. 1343, No. 22514.

19. *Reaffirms* that the primary responsibility for ensuring an enabling environment for securing the well-being of children, in which the rights of each and every child are promoted and respected, rests with each individual State;

20. *Calls upon* all States and the international community to mobilize all necessary resources, support and efforts to eradicate poverty, according to national plans and strategies and in consultation with national Governments, including through an integrated and multifaceted approach based on the rights and well-being of children, and to continue their efforts to realize the internationally agreed development and poverty eradication goals, including the Millennium Development Goals;

Right to education

21. *Recognizes* the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families in order to achieve the objectives of Education for All, with the aim of realizing the millennium development goal aimed at achieving universal primary education;

22. *Welcomes* the work of the Special Rapporteur on the right to education, takes note of his report on the right to education in emergency situations,[486] recognizes that the right to education is to be respected at all times, and calls upon Member States to adopt legal and other measures to ensure that education is included in emergency preparedness plans;

23. *Urges* Member States to implement strategies for the realization of the right to education as an integral element in the context of humanitarian assistance, with the support of the international community, the United Nations system, donors, multilateral agencies, the private sector, civil society and non-governmental organizations;

Right to the enjoyment of the highest attainable standard of health

24. *Calls upon* States:

(*a*) To take all necessary measures to ensure the right of the child to the enjoyment of the highest attainable standard of health and to develop sustainable health systems and social services, ensuring access to such systems and services without discrimination, paying special attention to adequate food and nutrition and combating disease and malnutrition, to access to safe drinking water and sanitation, to the special needs of male and female adolescents and to reproductive and sexual health, and securing appropriate prenatal and post-natal care for mothers, including measures to prevent mother-to-child transmission of HIV, and in this context to realize the millennium development goals aimed at reducing child mortality, improving maternal health and combating HIV/AIDS, malaria and other diseases;

(*b*) To assign priority to developing and implementing activities and programmes aimed at treating and preventing addictions, in particular addiction to alcohol and tobacco, and the abuse of narcotic drugs, psychotropic substances and inhalants;

(*c*) To support adolescents to be able to deal positively and responsibly with their sexuality in order to protect themselves from HIV/AIDS infection and to implement measures to increase their capacity to protect themselves from HIV/AIDS through, inter alia, the provision of health care, including for sexual and reproductive health, and through preventive education that promotes gender equality;

(*d*) To develop and implement strategies, policies and programmes that identify and address those factors that make individuals particularly vulnerable to HIV infection in order to complement prevention programmes that address activities that place individuals at risk for HIV infection, such as risky and unsafe behaviour and injecting drug use;

(*e*) To promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to boys and girls, including bilateral and private sector initiatives, as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, especially those that aim to provide further access to drugs at affordable prices to children in developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

(*f*) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular by enabling them and also the adolescent fathers to continue and complete their education;

Right to food

25. *Expresses grave concern* at the worsening of the world food crisis, which seriously undermines the realization of the right to food for all, including mothers and children, and also expresses grave concern that this crisis threatens to further undermine the achievement of the Millennium Development Goals and stresses that solutions need a comprehensive and

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[486] A/HRC/8/10.

multifaceted approach requiring short-, medium- and long-term and sustained actions;

26. *Calls upon* all States to take immediate steps to eliminate child hunger, including through the adoption or strengthening of national programmes to address food security and adequate livelihoods, as well as nutritional security, especially regarding vitamin A, iron and iodine deficiencies, the promotion of breastfeeding, as well as programmes, for example, school meal programmes, that should ensure adequate nutrition for all children;

Elimination of violence against children

27. *Condemns* all forms of violence against children, and urges all States:

(*a*) To take effective and appropriate legislative and other measures or, where it exists, to strengthen legislation to prohibit and eliminate all forms of violence against children in all settings;

(*b*) To respect fully the rights, human dignity and physical integrity of children and to prohibit and eliminate any emotional or physical violence or any other humiliating or degrading treatment;

(*c*) To give priority attention to the prevention of all forms of violence against children and to addressing its underlying causes and its gender dimension through a systematic, comprehensive and multifaceted approach, recognizing that witnessing violence, including domestic violence, also causes harm to children;

(*d*) To protect children from all forms of violence or abuse by all those who work with and for children, including in educational settings, as well as by Government officials, such as the police, law enforcement authorities and employees and officials in detention centres or welfare institutions;

(*e*) To establish complaint mechanisms that are confidential, age-appropriate, gender-sensitive and accessible to all children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

(*f*) To take measures to ensure that all those who work with and for children protect children from bullying and implement preventive and anti-bullying policies in order to ensure a safe and supportive environment free from harassment and violence;

(*g*) To strive to change attitudes that condone or normalize any form of violence against children, including cruel, inhuman or degrading forms of discipline, harmful traditional practices and all forms of sexual violence;

(*h*) To take measures to promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings, and throughout care and justice systems;

(*i*) To end impunity for perpetrators of crimes against children and to investigate and prosecute such acts of violence and impose appropriate penalties, recognizing that persons convicted of violent offences against children, including sexual abuse, who continue to pose a risk of harm to children should be prevented from working with children;

(*j*) To establish and develop safe, well-publicized, confidential and accessible mechanisms to enable children, their representatives and others to report violence against children as well as to file complaints in cases of violence against children, and to ensure that all victims of violence have access to appropriate confidential, child-sensitive health and social services, paying special attention to the gender-specific needs of girls and boys who are victims of violence;

(*k*) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence, acknowledging that girls and boys face varying risks from different forms of violence at different ages and in different situations, and in this context recalls the agreed conclusions on the elimination of all forms of discrimination and violence against the girl child adopted by the Commission on the Status of Women at its fifty-first session;[487]

28. *Expresses deep concern* about the impact of all forms of sexual violence in situations of armed conflict and about the harm caused by witnessing sexual violence, reaffirms in this regard relevant resolutions of the General Assembly, the Economic and Social Council and the Human Rights Council, and notes with appreciation the attention paid to this issue in Security Council resolution 1820 (2008) of 19 June 2008;

29. *Condemns* all kinds of abduction of children, in particular extortive abduction and abduction of children in situations of armed conflict, including for their recruitment and use in armed conflict, and urges States to take all appropriate measures to secure their unconditional release, rehabilitation and reintegration and their reunification with their families;

30. *Urges* all States to strengthen international cooperation and mutual assistance to prevent and protect children from all forms of violence and to end impunity for crimes against children;

31. *Recognizes* the contribution of the International Criminal Court in ending impunity for the most serious crimes against children, including genocide, crimes against humanity and war crimes, and calls upon States not to grant amnesties for such crimes;

32. *Encourages* all States and requests United Nations entities, regional organizations and civil society, including

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[487] See *Official Records of the Economic and Social Council, 2007, Supplement No. 7* (E/2007/27), chap. I, sect. A.

non-governmental organizations, to continue to widely disseminate and follow up on the study on violence against children by the independent expert appointed by the Secretary-General[488] and to cooperate with the Special Representative of the Secretary-General on violence against children, once appointed, in promoting the implementation of the recommendations of the study, while promoting and ensuring country ownership and national plans and programmes in this regard;

33. *Expresses deep concern* about the delay in the appointment of the new mandate holder as requested by the General Assembly in its resolution 62/141, and requests the Secretary-General to comply fully with the request and to take urgent action to appoint, in accordance with the above-mentioned resolution, at the highest possible level and without delay, a Special Representative on violence against children;

Promoting and protecting the rights of children, including children in particularly difficult situations

34. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary or summary executions, torture and all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of those children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

35. *Also calls upon* all States to protect refugee, asylum-seeking and internally displaced children, taking into account their gender-specific needs, in particular those who are unaccompanied, who are particularly exposed to violence and risks in connection with armed conflict, such as recruitment, killing, maiming, sexual violence and exploitation, as well as trafficking, stressing the need for States as well as the international community to continue to pay more systematic and in-depth attention to the special assistance, protection and development needs of those children through, inter alia, programmes aimed at rehabilitation and physical and psychological recovery, and to programmes for voluntary repatriation and, where appropriate and feasible, local integration and resettlement, to give priority to family tracing and family reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

36. *Further calls upon* all States to ensure, for children belonging to minorities and vulnerable groups, including migrant children and indigenous children, the enjoyment of all human rights as well as access to health care, social services and education on an equal basis with others and to ensure that all such children, in particular victims of violence and exploitation, receive special protection and assistance;

37. *Calls upon* all States to ensure that any migration policies, including repatriation mechanisms, are in accordance with the best interests of the child and to take all necessary actions to ensure that unaccompanied migrant children and those who are victims of violence and exploitation receive special protection and assistance in accordance with international law;

38. *Also calls upon* all States to address, as a matter of priority, the vulnerabilities faced by children affected by and living with HIV, by providing support and rehabilitation to those children and their families, women and the elderly, particularly in their role as caregivers, promoting child-oriented HIV/AIDS policies and programmes and increased protection for children orphaned and affected by HIV/AIDS, pursuing all necessary efforts towards the goal of universal access to comprehensive prevention programmes, treatment, care and support by 2010 and intensifying efforts to develop new treatments for children, and building, where needed, and supporting the social security systems that protect them;

39. *Further calls upon* all States to protect, in law and in practice, the inheritance and property rights of orphans, with particular attention to underlying gender-based discrimination, which may interfere with the fulfilment of these rights;

40. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

41. *Calls upon* States to protect all human rights of children in particularly difficult situations and to ensure that the best interests of the child are accorded primary consideration, and encourages the Committee on the Rights of the Child, the United Nations Children's Fund, other relevant United Nations bodies and mandate holders, within their respective mandates, to pay particular attention to the conditions of these children in all States and, as appropriate, to make recommendations to strengthen their protection;

42. *Recognizes* that the mass media and their organizations have a key role to play in raising awareness about the situation of children and the challenges facing them and that they should also play a more active role in informing children, parents, families and the general public about initiatives that promote and protect the rights of children and should also contribute to educational programmes for children;

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[488] See A/61/299 and A/62/209.

Children alleged to have infringed or recognized as having infringed penal law

43. *Calls upon* all States:

(*a*) To abolish by law and in practice the death penalty and life imprisonment without possibility of release for those under the age of 18 years at the time of the commission of the offence, including by taking all necessary measures to comply with their obligations assumed under relevant provisions of international human rights instruments, including the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;[489] and

(*b*) To keep in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and the guarantees set out in United Nations safeguards adopted by the Economic and Social Council;

44. *Encourages* all States to develop and implement a comprehensive juvenile justice policy that includes, where appropriate, the introduction of alternative measures allowing for responses to juvenile delinquency without resorting to judicial procedures;

45. *Urges* States to take special measures to protect juvenile offenders, including the provision of adequate legal assistance, the training in juvenile justice of judges, police officers and prosecutors, as well as specialized defenders or other representatives who provide legal or other appropriate assistance, such as social workers, the establishment of specialized courts, the promotion of universal birth registration and age documentation and the protection of the right of juvenile offenders to maintain contact with their families through correspondence and visits, save in exceptional circumstances;

46. *Calls upon* all States to ensure that no child in detention is sentenced to forced labour or any form of cruel or degrading punishment or is deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training;

Children of persons alleged to have infringed or recognized as having infringed penal law

47. *Also calls upon* all States to give attention to the impact of parental detention and imprisonment on children and, in particular:

(*a*) To give priority consideration to non-custodial measures when sentencing or deciding on pretrial measures for a child's sole or primary caretaker, subject to the need to protect the public and the child, and bearing in mind the gravity of the offence;

(*b*) To identify and promote good practices in relation to the needs and physical, emotional, social and psychological development of babies and children affected by parental detention and imprisonment;

Prevention and eradication of the sale of children, child prostitution and child pornography

48. *Welcomes* the extension of the mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography by the Human Rights Council;

49. *Also welcomes* the convening of the World Congresses against Sexual Exploitation of Children and Adolescents, including the Third World Congress, held from 25 to 28 November 2008 in Rio de Janeiro, Brazil, aimed at stimulating debate and mobilizing the efforts of the international community to eradicate the sexual exploitation of children and adolescents;

50. *Expresses deep concern* about the persistence of the practices of the sale of children, child slavery, commercial sexual exploitation of children, child prostitution and child pornography in many parts of the world, and calls upon all States:

(*a*) To criminalize and penalize effectively all forms of sexual exploitation and sexual abuse of children, including all acts of paedophilia, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, trafficking in children, the sale of children and the use of the Internet and other information and communications technologies for these purposes, and to take effective measures against the criminalization of children who are victims of exploitation;

(*b*) To ensure the prosecution and punishment of offenders, whether local or foreign, by the competent national authorities, either in the country in which the crime was committed, in the country of which the offender is a national or resident, in the country of which the victim is a national, or on any other basis permitted under domestic law, and for these purposes to afford one another the greatest measure of assistance and the necessary collaboration for prevention, detection, investigations or criminal or extradition proceedings;

(*c*) To criminalize and penalize effectively the sale of children, including for the purposes of transfer of organs of the child for profit, to increase cooperation at all levels to prevent and dismantle networks trafficking in or selling children and their organs and, for those States that have not yet done so, to consider signing and ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially

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[489] See resolution 2200 A (XXI), annex.

Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[490]

(*d*) To give due consideration to the recommendations made by the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children, in her report,[491] devoted to the subject of forced marriage in the context of trafficking in persons;

(*e*) In cases of trafficking in children, the sale of children, child prostitution, child pornography and child sex tourism, to address effectively the needs of victims, including their safety, legal assistance and protection, physical and psychological recovery and full reintegration into society, paying particular attention to their gender-specific needs, including through bilateral and multilateral technical cooperation and financial assistance;

(*f*) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

(*g*) To give priority to the identification of norms and standards on the responsibilities of transnational corporations and other business enterprises, particularly those involved in information and communications technologies, related to respect for the rights of children, including the right to be protected from sexual abuse and exploitation, particularly in the virtual realm, as set out in the relevant legal instruments, and to outline basic measures to be taken for implementation;

(*h*) To mobilize public awareness, involving families and communities, with the participation of children, concerning the protection of children against all forms of sexual exploitation and abuse;

(*i*) To contribute to the prevention and elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, criminal or irresponsible adult sexual behaviour, child sex tourism, organized crime, harmful traditional practices, armed conflicts and trafficking in children;

(*j*) To take measures to eliminate the demand that fosters all forms of exploitation that leads to trafficking, including sexual exploitation and the sex tourism demand;

Children affected by armed conflict

51. *Strongly condemns* any recruitment or use of children in armed conflict contrary to international law, as well as other violations and abuses committed against children affected by armed conflict, and urges all States and other parties to armed conflict that are engaged in such practices to end them;

52. *Recalls*, in accordance with international humanitarian law, that indiscriminate attacks against civilians, including children, are prohibited and that they shall not be the object of attack, including by way of reprisal or excessive use of force, condemns such practices resulting in the killing and maiming of children, and demands that an end be immediately put to them;

53. *Urges* States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to give serious attention to all violations and abuses committed against children in situations of armed conflict;

54. *Calls upon* all States, relevant United Nations bodies and agencies and regional organizations to mainstream the rights of the child into all activities in conflict and post-conflict situations, to ensure adequate child protection training of their staff and personnel, including through the drafting and dissemination of codes of conduct, and to facilitate the participation of children in the development of strategies in this regard, inter alia, by ensuring that there are opportunities for children's voices to be heard and given due weight in accordance with the age and maturity of the child;

55. *Calls upon* States:

(*a*) To enhance complementarity and coordination of national policies and strategies related to security, development, human rights and humanitarian issues with a view to addressing the short-, medium- and long-term impacts of armed conflict on children in an effective, sustainable and comprehensive manner;

(*b*) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[492] to raise the minimum age for voluntary recruitment of persons into the national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(*c*) To take all feasible measures to ensure the demobilization and effective disarmament of children used in armed conflicts and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, in particular through educational measures, taking into account the rights and the specific needs and capacities of girls;

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[490] United Nations, *Treaty Series*, vol. 2237, No. 39574.

[491] A/HRC/4/23 and Corr.1 and Add.1 and 2 and Add.2/Corr.1.

[492] United Nations, *Treaty Series*, vol. 2173, No. 27531.

(*d*) To ensure timely and adequate funding for national disarmament, demobilization and reintegration programmes for children and for settlement, rehabilitation and reintegration efforts for all children associated with armed forces and groups, including detained children, particularly in support of national initiatives, to secure the long-term sustainability of such efforts, including through the use of a multisectoral and community-based approach that is inclusive of all children, family-based care arrangements, as also highlighted in the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (the Paris Principles),[493] and the mobilization of financial resources and technical assistance from international cooperation for rehabilitation and reintegration programmes for children, including by making use of all international forums and conferences related to this matter, including the meetings in follow-up to the "Free Children from War" conference, held in Paris on 5 and 6 February 2007;

(*e*) To undertake measures to ensure that children in situations of armed conflict enjoy all the rights enshrined in relevant international instruments, and that national authorities, with the support of the international community, as appropriate, take steps to ensure the delivery of basic services necessary for the survival of children in different areas, including health, education, nutrition, water, sanitation and psychosocial recovery;

(*f*) To encourage the involvement of young people in activities concerning the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peacebuilding and children-to-children networks;

(*g*) To protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, in accordance with international humanitarian law, including the Geneva Conventions of 12 August 1949,[494] and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

(*h*) To take all feasible measures, in accordance with international humanitarian law and human rights law, as a matter of priority, to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of policies that do not tolerate such practices and legal measures necessary to prohibit and criminalize them;

(*i*) To support relevant existing internationally agreed mechanisms established to address the issue of children in armed conflict that contribute to the roles, responsibilities and capacities of national Governments in this field;

56. *Takes note* of the updating of the Cape Town Principles on child soldiers,[495] which led to the Paris Principles, encourages Member States to consider using the Paris Principles to inform their work in protecting children from the effects of armed conflicts, and requests the relevant entities of the United Nations system, within their mandates, and invites civil society to assist Member States in this field;

57. *Calls upon* all States and relevant United Nations bodies to continue to support, as appropriate, national and international mine action efforts, including with regard to cluster munitions and other unexploded ordnance;

58. *Condemns in the strongest terms* rape and sexual violence committed against children in armed conflict, expresses deep concern at mass and systematic rape and sexual violence committed against children in armed conflict, in some instances calculated to humiliate, dominate, instil fear and disperse and/or forcibly relocate a population, calls upon all States and relevant United Nations bodies and agencies and regional organizations to address this issue, as well as the issue of sexual exploitation and abuse of children in United Nations peacekeeping operations, and urges States to adopt appropriate national legislation and to ensure rigorous investigation and prosecution of such crimes;

59. *Reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, and notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict;

60. *Notes with appreciation* the steps taken regarding Security Council resolution 1612 (2005) of 26 July 2005 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with that resolution, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, as well as the work carried out by United Nations child protection advisers in peacekeeping operations;

61. *Takes note with appreciation* of the work of the Special Representative of the Secretary-General for Children and Armed Conflict, recognizes the increased level of activity of her office and the progress achieved since the establishment of the mandate of the Special Representative, and, bearing in mind

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[493] Available from www.unicef.org.

[494] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[495] See E/CN.4/1998/NGO/2.

its resolution 60/231 of 23 December 2005, recommends that the Secretary-General extend the mandate of the Special Representative for a further period of three years;

62. *Also takes note with appreciation* of the report of the Special Representative[496] and of the significant developments and achievements in the protection of children in armed conflict at the national and international levels, and emphasizes the contribution of her field visits conducted with the consent of the State concerned in situations of armed conflict as an important element in the implementation of her mandate;

63. *Recognizes* the need for discussion on the issues raised in the report of the Special Representative, calls upon Member States and observers and invites relevant entities of the United Nations system as well as civil society, as appropriate, to carefully study the recommendations contained therein, and stresses the need for the views of Member States to be fully taken into account in this regard;

III

Child labour[497]

64. *Expresses deep concern* about the fact that about 218 million children in the world today are involved in child labour, and that more than half of those children are involved in hazardous work that is damaging to their safety, mental and physical health or moral development, including in hazardous activities in agriculture, mining and domestic labour, or in the worst forms of child labour, such as child pornography and sexual exploitation, sale and trafficking in children, forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict, and different forms of slavery or practices similar to slavery;

65. *Recognizes* that a comprehensive and coherent approach to preventing and eradicating child labour must aim at poverty eradication, sustainable development and the provision of quality education and social protection measures, including protection against economic exploitation; special attention should be given to preventing any work that is likely to be hazardous, to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development so as to respond to the multidimensional reality of child labour;

66. *Also recognizes* that the prevention and eradication of child labour and action towards the achievement of the Millennium Development Goals, in particular those related to education, poverty eradication, gender equality and global partnership for development, mutually reinforce each other;

67. *Further recognizes* that, given the role of the family environment in the full and harmonious development of the child and in preventing and eradicating child labour, children and their families should be entitled to receive comprehensive protection and support;

68. *Recognizes* that child labour contributes to the perpetuation of poverty and remains a central obstacle to realizing the right of all children to education and to protection from violence, abuse and exploitation and that education, at the same time, including literacy and adult education initiatives within the framework of international and regional cooperation, is a key element in preventing and eradicating poverty and child labour;

69. *Takes note with appreciation* of the establishment of the Global Task Force on Child Labour and Education for All by a number of relevant organizations of the United Nations system and civil society representatives and of the effort to integrate more closely work on tackling child labour and promoting education for all children;

70. *Urges* all States that have not yet ratified the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization to consider doing so as a matter of priority;

71. *Recognizes* the decisive role of employers' and workers' organizations in the prevention and eradication of child labour and that their continuous commitment and engagement remain essential;

72. *Also recognizes* the prevalence of violence against children in many work settings, including physical punishment, humiliation and sexual harassment, including in the context of unregulated domestic work, and encourages the International Labour Organization to pay particular attention to violence against children in work settings, including the issue of domestic work;

73. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

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[496] A/63/227.

[497] As defined by the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization.

74. *Also calls upon* all States:

(*a*) To elaborate and implement strategies for the prevention and elimination of child labour contrary to accepted international standards, including time-bound strategies for the immediate elimination of the worst forms of child labour, and for the protection of children from all forms of economic exploitation, giving special attention to specific dangers faced by girls and by boys;

(*b*) To increase the focus on access to quality education as a way to help attract and keep children in school, including by emphasizing the goal of a well-trained teaching force with appropriate salaries and working and living conditions and ongoing professional support for children in educational settings, as well as increasing access to information and communications technologies for schools, and calls upon the international community to provide cooperation in these fields;

(*c*) To assess and systematically examine the magnitude, nature and causes of child labour and to strengthen the collection and analysis of data on child labour, giving special attention to specific dangers faced by girls;

(*d*) To take concrete measures for the rehabilitation and social integration of children removed from situations involving the worst forms of child labour by, inter alia, ensuring access to education and social services;

(*e*) To take appropriate steps to assist one another in the elimination of the worst forms of child labour through enhanced international cooperation and/or assistance, including support for social and economic development, poverty eradication programmes and universal education;

(*f*) To promote policies and legislation aimed at addressing national priorities relating to the prevention and eradication of child labour through family-centred components of policies and programmes as part of an integrated comprehensive approach to development, bearing in mind equality between women and men;

(*g*) To ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced, to ensure also that girls who are employed have equal access to decent work and equal pay and remuneration, and are protected from economic exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and to raise government and public awareness as to the nature and scope of the special needs of girls, including migrant girls, employed as domestic workers and of those performing excessive domestic chores in their own households;

(*h*) To put in place programmes and social protection systems, guided by the principle of the best interests of the child, to support and protect migrant children, especially the girl child, who are vulnerable to child labour, including the worst forms of child labour;

(*i*) To develop gender-sensitive measures, including national action plans, where appropriate, to eliminate child labour, including the worst forms of child labour, including commercial sexual exploitation, slavery-like practices, forced and bonded labour, trafficking and hazardous forms of child labour, and to ensure that children have access to education and vocational training, health services, food, shelter and recreation;

75. *Urges* all States to pursue a national policy designed to ensure the effective eradication of child labour, and encourages those States that have not yet done so to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons;

76. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in ensuring the realization of the rights of the child and in attaining the objective of eradicating child labour contrary to accepted international standards;

77. *Calls upon* all States to protect children from all forms of economic exploitation by mobilizing national partnerships and international cooperation, to improve the conditions of children by, inter alia, providing working children with free basic education and vocational training and integrating them into the education system in every way possible, and to encourage support for social and economic policies aimed at poverty eradication and at providing families, particularly women, with employment and income-generating opportunities;

78. *Calls upon* the international community to promote international cooperation to assist developing countries, upon request, in addressing child labour and its root causes, inter alia, through social and economic policies aimed at poverty eradication, while stressing that labour standards should not be used for protectionist trade purposes;

79. *Calls upon* States and the international community to mainstream action relating to child labour into national poverty eradication and development efforts, especially in policies and programmes in the areas of health, education, employment and social protection;

80. *Welcomes* the efforts of the Committee on the Rights of the Child in the area of child labour, and encourages the Committee, as well as other relevant human rights treaty bodies, within their respective mandates, to continue to monitor this growing problem when examining the reports of States parties;

IV

Follow-up

81. *Decides:*

(*a*) To request the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child[466] and the issues addressed in the present resolution, with a focus on international efforts and national progress in tackling child labour and progress towards meeting the target of eliminating the worst forms of child labour by 2016, as agreed in the context of the International Labour Organization;

(*b*) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in discharging her mandate, including information on her field visits, and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(*c*) To invite the Chairperson of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-fourth session as a way to enhance communication between the Assembly and the Committee;

(*d*) To invite all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe the twentieth anniversary of the adoption of the Convention and to request the Secretary-General to take the measures necessary, within existing resources, for the observance of this anniversary by the United Nations;

(*e*) To continue its consideration of the question at its sixty-fourth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution on the rights of the child on "The right of the child to express his or her views freely in all matters affecting him or her".

RESOLUTION 63/242

Adopted at the 74th plenary meeting, on 24 December 2008, on the recommendation of the Committee (A/63/428, para. 31),[498] by a recorded vote of 109 to 13, with 35 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Czech Republic, Denmark, Israel, Marshall Islands, Netherlands, New Zealand, Palau, Poland, Romania, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Portugal, Republic of Korea, Republic of Moldova, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine

63/242. Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 52/111 of 12 December 1997, in which it decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolutions 56/266 of 27 March 2002, 57/195 of 18 December 2002, 58/160 of 22 December 2003, 59/177 of 20 December 2004 and 60/144 of 16 December 2005, which guided the comprehensive follow-up to and effective implementation of the World Conference, and in this regard underlining the importance of their full and effective implementation,

Noting its resolution 61/149 of 19 December 2006, in which it decided to convene in 2009 a review conference on the implementation of the Durban Declaration and Programme of Action,[499] hereinafter referred to as the Durban Review Conference, to be conducted within the framework of the General Assembly, and its resolution 62/220 of 22 December 2007,

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[498] The draft resolution recommended in the report was sponsored in the Committee by: Antigua and Barbuda (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Kazakhstan and Russian Federation.

[499] See A/CONF.189/12 and Corr.1, chap. I.

Noting also, in the above context, the decisions adopted by the Preparatory Committee for the Durban Review Conference at its organizational session[500] and its first[501] and second[502] substantive sessions, including decision PC.1/13 on the objectives of the Durban Review Conference and decision PC.2/8 on the structure of the outcome document,

Noting further all the relevant resolutions and decisions of the Commission on Human Rights and of the Human Rights Council on this subject, and calling for their implementation,

Noting Human Rights Council decision 3/103 of 8 December 2006,[503] by which, heeding the decision and instruction of the 2001 World Conference, the Council established the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Convinced that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination,

Underlining the primacy of political will, international cooperation and adequate funding at the national, regional and international levels for the successful implementation of the Durban Programme of Action,

Alarmed at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, inter alia, as a result of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Welcoming the continued determination of the former United Nations High Commissioner for Human Rights to profile and increase the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance and the intention of the High Commissioner to make this a cross-cutting issue in the activities and programmes of her Office,

I

General principles

1. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

2. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

3. *Expresses deep concern* at the attempts to establish hierarchies among emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance, and urges States to adopt measures to address these scourges with the same emphasis and vigour with a view to preventing this practice and protecting victims;

4. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

5. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

6. *Also recognizes* that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth or other status;

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[500] See A/62/375.

[501] See A/63/112.

[502] See A/CONF.211/PC.3/11 and Corr.1; see also A/63/112/Add.1.

[503] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. II, sect. B.

7. *Reaffirms* that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law;

8. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

9. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

10. *Calls upon* all States, in accordance with the commitments undertaken in paragraph 147 of the Durban Programme of Action,[499] to take all necessary measures to combat incitement to violence motivated by racial hatred, including through the misuse of print, audio-visual and electronic media and new communication technologies, and, in collaboration with service providers, to promote the use of such technologies, including the Internet, to contribute to the fight against racism, in conformity with international standards of freedom of expression and taking all necessary measures to guarantee that right;

11. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for all cultures, civilizations, religions, peoples and countries, as well as information on the follow-up to and implementation of the Durban Declaration and Programme of Action;

12. *Stresses* the responsibility of States to mainstream a gender perspective in the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

II

International Convention on the Elimination of All Forms of Racial Discrimination

13. *Reaffirms* that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[504] are of paramount importance for the fight against racism, racial discrimination, xenophobia and related intolerance, including contemporary forms of racism and racial discrimination, and for the promotion of equality and non-discrimination in the world;

14. *Expresses grave concern* at the fact that universal ratification of the Convention was not attained by 2005 in accordance with commitments under the Durban Declaration and Programme of Action,[499] and calls upon those States that have not yet done so to accede to the Convention as a matter of urgency;

15. *Urges*, in the above context, the Office of the United Nations High Commissioner for Human Rights to maintain on its website and issue regular updates on a list of countries that have not yet ratified the Convention and to encourage such countries to ratify it at the earliest;

16. *Expresses its concern* at the serious delays in the submission of overdue reports to the Committee on the Elimination of Racial Discrimination, which impedes the effectiveness of the Committee, makes a strong appeal to all States parties to the Convention to comply with their treaty obligations, and reaffirms the importance of the provision of technical assistance to the requesting countries in the preparation of their reports to the Committee;

17. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention on the financing of the Committee, and calls for adequate additional resources from the regular budget of the United Nations to enable the Committee to discharge its mandate fully;

18. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights[505] and article 5 of the Convention;

19. *Recalls* that the Committee holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

20. *Welcomes* the emphasis placed by the Committee on the importance of follow-up to the World Conference and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;

III

Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

21. *Expresses its appreciation* for the commitment of the United Nations High Commissioner for Human Rights to contribute to the successful outcome of the Durban Review

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[504] United Nations, *Treaty Series*, vol. 660, No. 9464.

[505] Resolution 217 A (III).

Conference, including her appeal to all Member States and other stakeholders to participate in the Durban Review Conference;

22. *Acknowledges* that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

23. *Also acknowledges* that the World Conference, which was the third world conference against racism, was significantly different from the previous two conferences, as evidenced by the inclusion in its title of two important components relating to contemporary forms of racism, namely, xenophobia and related intolerance;

24. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action;[499]

25. *Reaffirms its commitment* to eliminating all forms of racism, racial discrimination, xenophobia and other forms of related intolerance against indigenous peoples, and in this regard notes the attention paid to the objectives of combating prejudice and eliminating discrimination and promoting tolerance, understanding and good relations among indigenous peoples and all other segments of society in the United Nations Declaration on the Rights of Indigenous Peoples;[506]

26. *Emphasizes* the fundamental and complementary role of national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the achievement of the objectives of the Durban Declaration and Programme of Action;

27. *Welcomes* the steps taken by numerous Governments, in particular the elaboration and implementation of national action plans to combat racism, racial discrimination, xenophobia and related intolerance, and steps taken by national human rights institutions and non-governmental organizations, towards the full implementation of the Durban Declaration and Programme of Action, and affirms this trend as a demonstration of commitment to the elimination of all scourges of racism at the national level;

28. *Calls upon* all States that have not yet elaborated their national action plans on combating racism, racial discrimination, xenophobia and related intolerance to comply with their commitments undertaken at the World Conference;

29. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

30. *Welcomes* the adoption of the laudable initiative led by the States members of the Caribbean Community and other Member States for the establishment of a permanent memorial at the United Nations to the victims of slavery and the transatlantic slave trade as a contribution towards the fulfilment of paragraph 101 of the Durban Declaration, expresses its appreciation for contributions made to the voluntary fund established in this regard, and urges other countries to contribute to the fund;

31. *Urges* States to support the activities of existing regional bodies or centres that combat racism, racial discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies in all regions where they do not exist;

32. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

33. *Reaffirms* that the General Assembly is the highest intergovernmental mechanism for the formulation and appraisal of policy on matters relating to the economic, social and related fields, in accordance with Assembly resolution 50/227 of 24 May 1996, and that, together with the Human Rights Council, it shall constitute an intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action, and further reaffirms that the Council shall continue to have a central role in the follow-up to the implementation of the Declaration and Programme of Action within the United Nations system;

34. *Expresses its appreciation* for the continuing work of the mechanisms mandated to follow up the World Conference, bearing in mind the assessment of the effectiveness of those mechanisms to be undertaken at the Durban Review Conference;

35. *Acknowledges* Human Rights Council resolution 9/14 of 24 September 2008,[507] by which the Council decided to extend for three years the mandate of the Working Group of Experts on People of African Descent;

36. *Takes note* of the convening of the first part of the first session of the Ad Hoc Committee on the Elaboration of

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[506] Resolution 61/295, annex.

[507] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. I.

Complementary Standards from 11 to 21 February 2008, and requests the Ad Hoc Committee to comply with the mandate contained in Human Rights Council decision 3/103;[503]

37. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the necessary political will for the successful implementation of the Declaration and Programme of Action;

38. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

39. *Expresses its concern* at the increasing incidence of racism in various sporting events, while noting with appreciation the efforts made by some governing bodies of the various sporting codes to combat racism, and in this regard invites all international sporting bodies to promote, through their national, regional and international federations, a world of sport free from racism and racial discrimination;

40. *Welcomes*, in this context, the initiative of the Fédération internationale de football association to introduce a visible theme on non-racism in football, and invites the Fédération to continue with this initiative at the 2010 soccer World Cup tournament to be held in South Africa;

41. *Calls upon* those States that have not yet done so to consider signing and ratifying or acceding to the instruments enumerated in paragraph 78 of the Durban Programme of Action, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990;[508]

IV

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

42. *Expresses its appreciation* for the work done by the former Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and welcomes Human Rights Council resolution 7/34 of 28 March 2008,[509] by which the Council decided to extend the mandate of the Special Rapporteur for a period of three years;

43. *Takes note with appreciation* of the report of the Special Rapporteur,[510] and encourages Member States and other relevant stakeholders to consider implementing the recommendations contained in his report;

44. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur, and calls upon States to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively;

45. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, as well as all religious communities, communities of people of African descent, communities of people of Asian descent, communities of indigenous people and other communities;

46. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

47. *Urges* the High Commissioner to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

48. *Requests* the Secretary-General to provide the Special Rapporteur with all the human and financial assistance necessary to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the General Assembly at its sixty-fourth session;

49. *Requests* the Special Rapporteur to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights by national or ethnic, religious and linguistic minorities, immigrant populations, asylum-seekers and refugees;

50. *Invites* Member States to demonstrate greater commitment to fighting racism in sport by conducting educational and awareness-raising activities and by strongly condemning the perpetrators of racist incidents, in cooperation with national and international sports organizations;

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[508] United Nations, *Treaty Series*, vol. 2220, No. 39481.

[509] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[510] See A/63/339.

V

Convening of the Durban Review Conference

51. *Welcomes* the reports of the Preparatory Committee for the Durban Review Conference on its organizational session[500] and its first[501] and second[502] substantive sessions, and endorses the decisions contained therein;

52. *Calls upon* all Member States to participate in the Durban Review Conference;

53. *Expresses its appreciation* for the convening of the regional preparatory meeting for the Durban Review Conference for Latin America and the Caribbean in Brasilia from 17 to 19 June 2008 and the regional preparatory meeting for Africa in Abuja from 24 to 26 August 2008;

54. *Takes note* of the contributions by Member States, regional groups and all other relevant stakeholders consistent with the objectives of the Durban Review Conference, in accordance with decision PC.1/10 of the Preparatory Committee;[500]

55. *Reaffirms* that the Durban Review Conference will be undertaken on the basis of and with full respect for the Durban Declaration and Programme of Action[499] and that there will be no renegotiation of the existing agreements therein, and that the issues raised will be in conformity with the contents of the Declaration and Programme of Action;

56. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to undertake initiatives to encourage contributions to the voluntary fund established pursuant to decision PC.1/12 of the Preparatory Committee,[500] including the decision to appeal for contributions from extrabudgetary resources to cover the costs of participation of representatives of the least developed countries in the Durban Review Conference;

VI

General

57. *Recommends* that the meetings of the Human Rights Council focusing on the follow-up to the World Conference and the implementation of the Durban Declaration and Programme of Action[499] be scheduled in a manner that allows broad participation and that avoids overlap with the meetings devoted to the consideration of this item in the General Assembly;

58. *Requests* the Secretary-General to submit a report with recommendations on the implementation of the present resolution to the General Assembly at its sixty-fourth session;

59. *Decides* to remain seized of this important matter at its sixty-fourth session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

RESOLUTION 63/243

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/428, para. 31)[511]

63/243. International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions on the International Convention on the Elimination of All Forms of Racial Discrimination,[512] most recently resolution 61/148 of 19 December 2006,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[513] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance throughout the world,

Reiterating also the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Reaffirming that universal adherence to and full implementation of the Convention are of paramount importance for promoting equality and non-discrimination in the world, as stated in the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[514]

Mindful of the importance of the contributions of the Committee on the Elimination of Racial Discrimination to the effective implementation of the Convention and to the efforts of the United Nations to combat racism, racial discrimination, xenophobia and related intolerance,

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[511] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Cape Verde, Chile, China, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Guinea, Honduras, Hungary, Ireland, Italy, Kazakhstan, Latvia, Liberia, Lithuania, Luxembourg, Madagascar, Malta, Monaco, Netherlands, Niger, Nigeria, Norway, Panama, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Republic of Tanzania and Venezuela (Bolivarian Republic of).

[512] United Nations, *Treaty Series*, vol. 660, No. 9464.

[513] A/CONF.157/24 (Part I), chap. III.

[514] See A/CONF.189/12 and Corr.1, chap. I.

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations,[515] and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I

Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its seventieth and seventy-first[516] and its seventy-second and seventy-third[517] sessions;

2. *Commends* the Committee for its contributions to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[512] especially through the examination of reports under article 9 of the Convention, action on communications under article 14 of the Convention and thematic discussions, which contribute to the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under article 9, paragraph 1, of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that the Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Encourages* the Committee to continue to cooperate and exchange information with United Nations bodies and mechanisms, in particular with the Human Rights Council, its Advisory Committee and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and with intergovernmental organizations, as well as with non-governmental organizations;

7. *Encourages* States parties to the Convention to continue to include a gender perspective in their reports to the Committee on the Elimination of Racial Discrimination, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

8. *Notes with appreciation* the engagement of the Committee in the follow-up to the Durban Declaration and Programme of Action;[514]

9. *Expresses its appreciation* for the efforts made so far by the Committee to improve the efficiency of its working methods, including with a view to further harmonizing the working methods of the treaty bodies, and encourages the Committee to continue its activities in this regard;

10. *Welcomes*, in this regard, measures taken by the Committee to follow up on its concluding observations and recommendations, such as the appointment of a follow-up coordinator[518] and the adoption of the guidelines on follow-up;[519]

11. *Encourages* the continued participation of members of the Committee in the annual inter-committee meetings and meetings of chairpersons of the human rights treaty bodies, especially with a view to a more coordinated approach to the activities of the treaty body system and standardized reporting as well as to solving the problem of the backlog of reports of States parties in an effective manner, including by identifying efficiencies and maximizing the use of their resources as well as learning and sharing best practices and experiences in this regard;

12. *Notes* the persistent backlog of reports of States parties awaiting consideration, which prevents the Committee from considering the periodic reports of States parties in a timely manner and without undue delay, as well as the request of the Committee that the General Assembly authorize an extension of its meeting time, which is currently only six weeks per year;

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[515] See CERD/SP/45, annex.

[516] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 18* (A/62/18).

[517] Ibid., *Sixty-third Session, Supplement No. 18* (A/63/18).

[518] Ibid., *Sixtieth Session, Supplement No. 18* (A/60/18), annex IV.

[519] Ibid., *Sixty-first Session, Supplement No. 18* (A/61/18), annex VI.

13. *Decides* to authorize the Committee to meet for an additional week per session, as a temporary measure, with effect from August 2009, until 2011;

14. *Also decides* to assess the situation regarding the meeting time of the Committee at its sixty-fifth session on the basis of an evaluation made by the Office of the High Commissioner, taking into account a more comprehensive approach to the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions;

II

Financial situation of the Committee on the Elimination of Racial Discrimination

15. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[520]

16. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination[512] have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

17. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[515] endorsed by the General Assembly in its resolution 47/111 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

18. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

19. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its sixty-fifth session;

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

20. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[521]

21. *Expresses its satisfaction* at the number of States that have ratified or acceded to the Convention, which now stands at one hundred and seventy-three;

22. *Urges* States parties to comply fully with their obligations under the Convention and to take into consideration the concluding observations and general recommendations of the Committee on the Elimination of Racial Discrimination;

23. *Reaffirms its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the effectiveness of the fight against racism, racial discrimination, xenophobia and related intolerance and for the implementation of the commitments undertaken under the Durban Declaration and Programme of Action,[514] and expresses its disappointment that universal ratification of the Convention was not achieved by the targeted date of 2005;

24. *Urges* all States that have not yet become parties to the Convention to ratify or accede to it as a matter of urgency;

25. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention, to review their reservations on a regular basis with a view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention;

26. *Notes* that the number of States parties to the Convention that have made the declaration provided for in article 14 of the Convention now stands at fifty-three, and requests States parties that have not yet done so to consider making that declaration;

27. *Invites* the Chairperson of the Committee on the Elimination of Racial Discrimination to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its sixty-fifth session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance";

28. *Decides* to consider, at its sixty-fifth session, under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance", the reports of the Committee

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[520] A/63/306.

[521] A/63/473.

on its seventy-fourth and seventy-fifth and its seventy-sixth and seventy-seventh sessions, the report of the Secretary-General on the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.

RESOLUTION 63/244

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/430/Add.2, para. 182)[522]

63/244. Committee on the Rights of the Child

The General Assembly,

Reaffirming the Convention on the Rights of the Child[523] and the Optional Protocols thereto,[524]

Noting the report of the Secretary-General on the status of the Convention[525] and the report of the Committee on the Rights of the Child,[526]

1. *Notes*, while welcoming the entry into force of the Optional Protocols[524] to the Convention on the Rights of the Child,[523] that a backlog of more than eighty reports exists related to the submission by States parties of their initial reports under the Optional Protocols in conformity with their obligations, and notes with concern that if this backlog is not addressed, it will impede the ability of the Committee on the Rights of the Child to consider reports in a timely manner, and in this regard takes note of the request of the Committee to meet in parallel chambers to address this backlog in an effective and timely manner;

2. *Decides*, as an exceptional and temporary measure, to authorize the Committee to meet in parallel chambers, of nine members each, for ten working days of each of its three regular sessions and the five working days of each of its three pre-sessional working group meetings between October 2009 and October 2010, for the purposes of considering the reports of the States parties submitted under article 44 of the Convention, article 8 of the Optional Protocol thereto on the involvement of children in armed conflict[527] and article 12 of the Optional Protocol thereto on the sale of children, child prostitution and child pornography,[528] taking due account of equitable geographical distribution and the principal legal systems;

3. *Also decides* to assess the situation regarding the meeting time of the Committee at its sixty-fifth session on the basis of an evaluation made by the Office of the United Nations High Commissioner for Human Rights, taking into account a more comprehensive approach towards the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions;

4. *Requests* the Committee to intensify its review of its working methods in order to enhance the efficiency and quality of its proceedings, with the aim of achieving timely consideration of reports submitted by States parties, and also requests the Committee to review and assess its progress in order to provide an update on this question in its report to the General Assembly at its sixty-fourth session and inputs to the evaluation to be made by the Office of the High Commissioner, taking into account the wider context of treaty body reform.

RESOLUTION 63/245

Adopted at the 74th plenary meeting, on 24 December 2008, on the recommendation of the Committee (A/63/430/Add.3 and Corr.1, para. 30),[529] by a recorded vote of 80 to 25, with 45 abstentions, as follows:

In favour: Afghanistan, Albania, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Eritrea, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

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[522] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Argentina, Armenia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jordan, Kazakhstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Senegal, Slovenia, Spain, Suriname, Sweden, Switzerland, Thailand, Turkey, United Republic of Tanzania and Uruguay.

[523] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[524] Ibid., vols. 2171 and 2173, No. 27531.

[525] A/63/160.

[526] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 41* (A/63/41).

[527] United Nations, *Treaty Series*, vol. 2173, No. 27531.

[528] Ibid., vol. 2171, No. 27531.

[529] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America.

Against: Algeria, Azerbaijan, Bangladesh, Belarus, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Egypt, India, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Nicaragua, Oman, Russian Federation, Sri Lanka, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe

Abstaining: Angola, Antigua and Barbuda, Bahrain, Barbados, Bolivia, Burkina Faso, Cameroon, Colombia, Congo, Côte d'Ivoire, Ecuador, Ethiopia, Gambia, Ghana, Grenada, Guinea-Bissau, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Malawi, Mali, Mauritania, Mozambique, Namibia, Nepal, Niger, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, Solomon Islands, South Africa, Swaziland, Tajikistan, Thailand, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia

63/245. Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[530] and recalling the International Covenants on Human Rights[531] and other relevant human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various international instruments in this field,

Reaffirming also its previous resolutions on the situation of human rights in Myanmar, the most recent of which is resolution 62/222 of 22 December 2007, those of the Commission on Human Rights, and Human Rights Council resolutions S-5/1 of 2 October 2007,[532] 6/33 of 14 December 2007,[533] 7/31 of 28 March 2008[534] and 8/14 of 18 June 2008,[535]

Welcoming the statements made by the President of the Security Council on 11 October 2007 and 2 May 2008,[536]

Welcoming also the reports of the Special Rapporteur on the situation of human rights in Myanmar[537] and his oral presentations, as well as the agreement by the Government of Myanmar to the visit of the Special Rapporteur, for the first time in four years, in November 2007 and then again in August 2008 soon after the appointment of the new Special Rapporteur, and encouraging the continuation of such visits, welcoming further the report of the Secretary-General[538] and his designation of a Special Adviser on Myanmar to continue to pursue the mandate of good offices, and affirming its full support for this mission,

Taking note of the cooperation of the Government of Myanmar with the international community, including the United Nations, in delivering humanitarian assistance to the people affected by Cyclone Nargis despite its initial denial of access, which resulted in widespread suffering and increased the risk of loss of lives, and calling upon the Government of Myanmar, in the interest of the people of Myanmar, to cooperate on humanitarian access in all other areas of the country where the United Nations, other international humanitarian organizations and their partners continue to experience difficulties in delivering assistance to persons in need,

Calling upon the Government of Myanmar to cooperate with the international community in order to achieve concrete progress in areas such as human rights and political processes leading to a genuine democratic transition through concrete measures,

Deeply concerned that the urgent calls contained in the above-mentioned resolutions, as well as the statements of other United Nations bodies concerning the situation of human rights in Myanmar, have not been met, and emphasizing that, without significant progress towards meeting these calls of the international community, the situation of human rights in Myanmar will continue to deteriorate,

1. *Strongly condemns* the ongoing systematic violations of civil, political, economic, social and cultural rights of the people of Myanmar, as described in resolution 62/222 and the previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council;

2. *Expresses grave concern*, in particular, at:

(*a*) The continuing practice of enforced disappearances, use of violence against peaceful demonstrators, rape and other forms of sexual violence, torture and cruel, inhuman or degrading treatment, arbitrary detentions, including those that resulted from the repression of peaceful protests in 2007, the extension, once again, of the house arrest of the General Secretary of the National League for Democracy, Daw Aung San Suu Kyi, as well as the high and increasing number of political prisoners, including other political leaders, persons belonging to ethnic nationalities and human rights defenders, despite the recent release of a small number of them, including U Win Tin;

(*b*) The continuing imposition of severe restrictions on the exercise of fundamental freedoms such as the freedom of movement, expression, association and assembly, in particular the lack of an independent judiciary and the use of censorship;

(*c*) The major and repeated violations of international humanitarian law committed against civilians;

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[530] Resolution 217 A (III).

[531] Resolution 2200 A (XXI), annex.

[532] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. IV.

[533] Ibid., chap. I, sect. A.

[534] Ibid., chap. II.

[535] Ibid., chap. III, sect. A.

[536] S/PRST/2007/37 and S/PRST/2008/13; see *Resolutions and Decisions of the Security Council, 1 August 2007–31 July 2008.*

[537] See A/63/341 and A/HRC/8/12.

[538] A/63/356.

(*d*) The continuing discrimination and violations suffered by persons belonging to ethnic nationalities of Myanmar, and attacks by military forces and non-State armed groups on villages in Karen State and other ethnic States in Myanmar, leading to extensive forced displacements and serious violations and other abuses of the human rights of the affected populations;

(*e*) The absence of effective and genuine participation of the representatives of the National League for Democracy and other political parties and some ethnic groups in a genuine process of dialogue, national reconciliation and transition to democracy; the fact that the country's political processes are not transparent, inclusive, free and fair, and that the procedures established for the drafting of the constitution resulted in the de facto exclusion of the opposition from the process; and the decision of the Government of Myanmar to proceed with the constitutional referendum in an atmosphere of intimidation and without regard to international standards of free and fair elections at a time of dire humanitarian need;

(*f*) Forced labour and forced displacement, as well as the continuous deterioration of the living conditions and the increase of poverty affecting a significant part of the population throughout the country, with serious consequences for the enjoyment of their economic, social and cultural rights;

(*g*) The climate of impunity due to the fact that perpetrators of human rights violations and abuses are not brought to justice, thereby denying the victims any effective remedy;

3. *Welcomes:*

(*a*) The visits to Myanmar of the Special Adviser to the Secretary-General on Myanmar, and expresses appreciation for the work of the good offices mission of the Secretary-General but notes only limited cooperation by the Government of Myanmar with this mission in 2008;

(*b*) The progress report presented by the Government of Myanmar and the steps taken so far, though limited, in implementing the supplementary understanding between the International Labour Organization and the Government of Myanmar signed in 2007 and designed to provide a mechanism to enable victims of forced labour to seek redress;

(*c*) The submission by the Government of Myanmar of its third periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women;

(*d*) The progress reported on the work conducted by the Government of Myanmar and international humanitarian entities on HIV/AIDS and avian influenza;

(*e*) The establishment of the Group of Friends of the Secretary-General on Myanmar, calls upon the Group to facilitate the work of the good offices mission of the Secretary-General, including by assisting with the preparation of his visits and by urging the Government of Myanmar to cooperate fully with the mission, and encourages the Group to do its utmost to encourage the Government to respect human rights and allow a peaceful transition to democracy;

(*f*) The role played by countries neighbouring Myanmar and members of the Association of Southeast Asian Nations in support of the good offices mission of the Secretary-General, and encourages the continuation and intensification of efforts in this regard;

(*g*) The constructive role played by the Association of Southeast Asian Nations and the United Nations in working with the Government of Myanmar to respond to the humanitarian crisis caused by Cyclone Nargis;

4. *Strongly calls upon* the Government of Myanmar:

(*a*) To ensure full respect for all human rights and fundamental freedoms, including by ending restrictions on these freedoms that are incompatible with the obligations of the Government of Myanmar under international human rights law, and to protect the inhabitants of the country;

(*b*) To allow a full, transparent, effective, impartial and independent investigation, primarily by the Special Rapporteur on the situation of human rights in Myanmar, into all reports of human rights violations, including enforced disappearances, use of violence against peaceful demonstrators, arbitrary detentions, torture and cruel, inhuman or degrading treatment, rape and other forms of sexual violence, forced labour and forced displacement, and to bring those responsible to justice in order to end impunity for violations of human rights;

(*c*) To reveal the whereabouts of persons who are detained or missing or who have been subjected to enforced disappearance;

(*d*) To seize the opportunity of the good offices of the Secretary-General and to cooperate fully with the good offices mission in the fulfilment of its responsibilities as mandated by the General Assembly, namely, the release of political prisoners and the commencement of a substantive dialogue on democratic transition; such cooperation shall include facilitating the visits of the Special Adviser to the country, allowing him unrestricted access to all relevant parties, including the highest level of leadership within the regime, human rights defenders, representatives of ethnic minorities, student leaders and other opposition groups, and engaging in a genuine and fruitful process aimed at achieving tangible progress towards democratic reform and full respect for human rights;

(*e*) To fully implement previous recommendations of the Special Rapporteur, the General Assembly, the Human Rights Council, the Commission on Human Rights, the International Labour Organization and other United Nations bodies;

(*f*) To desist from further politically motivated arrests and to release without delay and without conditions those who have been arbitrarily arrested and detained, as well as all political prisoners, including Daw Aung San Suu Kyi, other leaders of the National League for Democracy, "88 Generation" group leaders, ethnic group leaders and all those detained as the result of the protests which took place in September 2007;

(*g*) To lift all restraints on the peaceful political activity of all persons by, inter alia, guaranteeing freedom of peaceful assembly and association and freedom of opinion and expression, including for free and independent media, and to ensure unhindered access to media information for the people of Myanmar;

(*h*) To cooperate fully with the Special Rapporteur, including by granting him full, free and unhindered access in his upcoming visits to Myanmar to monitor the implementation of Human Rights Council and General Assembly resolutions, and to ensure that no person cooperating with the Special Rapporteur or any international organization is subjected to any form of intimidation, harassment or punishment;

(*i*) To ensure timely, safe, full and unhindered access to all parts of Myanmar, including conflict and border areas, for the United Nations, international humanitarian organizations and their partners and to cooperate fully with those actors to ensure that humanitarian assistance is delivered to all persons in need throughout the country;

(*j*) To put an immediate end to the continuing recruitment and use of child soldiers in violation of international law, by all parties, to intensify measures to ensure the protection of children from armed conflict and to pursue its collaboration with the Special Representative of the Secretary-General for Children and Armed Conflict;

(*k*) To take urgent measures to put an end to violations of international human rights and humanitarian law, including the targeting of civilians by military operations, rape and other forms of sexual violence persistently carried out by members of the armed forces, and the targeting of persons belonging to particular ethnic groups;

(*l*) To end the systematic forced displacement of large numbers of persons within their country and the violence contributing to refugee flows into neighbouring countries, and to respect ceasefire agreements;

5. *Calls upon* the Government of Myanmar:

(*a*) To permit all political representatives and representatives of ethnic nationalities to participate fully in the political transition process without restrictions and, to that end, to resume without further delay a dialogue with all political actors, including the National League for Democracy and representatives of ethnic nationalities;

(*b*) To pursue, through dialogue and peaceful means, the immediate suspension and permanent end of conflict with all ethnic nationalities in Myanmar and to allow the full participation of representatives of all political parties and representatives of ethnic nationalities in an inclusive and credible process of national reconciliation, democratization and the establishment of the rule of law;

(*c*) To allow human rights defenders to pursue their activities unhindered and to ensure their safety, security and freedom of movement in that pursuit;

(*d*) To refrain from imposing restrictions on access to and flow of information from the people of Myanmar, including through the openly available and accessible use of Internet and mobile telephone services;

(*e*) To fulfil its obligations to restore the independence of the judiciary and due process of law, the current state of which is not in compliance with international human rights law, as well as to ensure that discipline in prisons does not amount to torture or cruel, inhuman or degrading treatment or punishment and that conditions of detention otherwise meet international standards;

(*f*) To engage in a dialogue with the Office of the United Nations High Commissioner for Human Rights with a view to ensuring full respect for all human rights and fundamental freedoms;

(*g*) To engage more actively to eliminate the use of forced labour and to increase its efforts with the International Labour Organization towards the effective implementation of the national mechanism established to receive complaints of forced labour, including allowing the International Labour Organization to distribute informational material in Myanmar on that mechanism;

(*h*) To resume its humanitarian dialogue with the International Committee of the Red Cross and allow it to carry out its activities according to its mandate, in particular by granting access to persons detained and to areas of internal armed conflict;

6. *Requests* the Secretary-General:

(*a*) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, including democracy and human rights groups and all relevant parties, and to offer technical assistance to the Government in this regard;

(*b*) To give all necessary assistance to enable the Special Adviser and the Special Rapporteur to discharge their mandates fully and effectively and in a coordinated manner;

(*c*) To report to the General Assembly at its sixty-fourth session as well as to the Human Rights Council on the progress made in the implementation of the present resolution;

7. *Decides* to continue the consideration of the question at its sixty-fourth session, on the basis of the report of the Secretary-General and the interim report of the Special Rapporteur.

VI. Resolutions adopted on the reports of the Fifth Committee*

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* Unless otherwise stated, the draft resolutions recommended in the reports were submitted by the Chairman or another officer of the Bureau of the Committee.

RESOLUTION 63/4

Adopted at the 24th plenary meeting, on 13 October 2008, without a vote, on the recommendation of the Committee (A/63/472, para. 6)

63/4. Scale of assessments for the apportionment of the expenses of the United Nations: requests under Article 19 of the Charter

The General Assembly,

Having considered chapter V of the report of the Committee on Contributions on its sixty-eighth session,[1]

Reaffirming the obligation of Member States under Article 17 of the Charter of the United Nations to bear the expenses of the Organization as apportioned by the General Assembly,

1. *Reaffirms* its role in accordance with the provisions of Article 19 of the Charter of the United Nations and the advisory role of the Committee on Contributions in accordance with rule 160 of the rules of procedure of the General Assembly;

2. *Also reaffirms* its resolution 54/237 C of 23 December 1999;

3. *Requests* the Secretary-General to continue to bring to the attention of Member States the deadline specified in resolution 54/237 C, including through an early announcement in the *Journal of the United Nations* and through direct communication;

4. *Urges* all Member States requesting exemption under Article 19 of the Charter to submit as much information as possible in support of their requests and to consider submitting such information in advance of the deadline specified in resolution 54/237 C so as to enable the collation of any additional detailed information that may be necessary;

5. *Agrees* that the failure of the Central African Republic, the Comoros, Guinea-Bissau, Liberia, Sao Tome and Principe, Somalia and Tajikistan to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond their control;

6. *Decides* that the Central African Republic, the Comoros, Guinea-Bissau, Liberia, Sao Tome and Principe, Somalia and Tajikistan shall be permitted to vote in the General Assembly until the end of its sixty-third session.

RESOLUTION 63/246

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/637, para. 8)

63/246. Financial reports and audited financial statements, and reports of the Board of Auditors

The General Assembly,

Recalling its resolutions 50/222 of 11 April 1996, 51/218 E of 17 June 1997, 52/212 B of 31 March 1998, 53/204 of 18 December 1998, 53/221, section VIII, of 7 April 1999, 54/13 B of 23 December 1999, 55/220 A, B and C of 23 December 2000 and 12 April and 14 June 2001, 57/278 A of 20 December 2002, 60/234 A and B of 23 December 2005 and 30 June 2006, 61/233 A and B of 22 December 2006 and 29 June 2007 and 62/223 A and B of 22 December 2007 and 20 June 2008,

Recalling also all its resolutions related to the languages of the United Nations as well as those on human resources management,

Emphasizing the need to ensure the full implementation of the Staff Regulations and Rules of the United Nations,

Having considered the financial reports and audited financial statements and the reports and audit opinions of the Board of Auditors for the period ended 31 December 2007 on the United Nations,[2] the International Trade Centre UNCTAD/WTO,[3] the United Nations University,[4] the United Nations Development Programme,[5] the United Nations Children's Fund,[6] the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[7] the United Nations Institute for Training and Research,[8] the voluntary funds administered by the United Nations High Commissioner for Refugees,[9] the Fund of the United Nations Environment Programme,[10] the United Nations Population Fund,[11] the United Nations Human Settlements Programme,[12] the United Nations Office on Drugs and Crime,[13] the United Nations Office for

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[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 11* (A/63/11).

[2] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 5* (A/63/5), vol. I.

[3] Ibid., vol. III.

[4] Ibid., vol. IV.

[5] Ibid., *Supplement No. 5A* and corrigendum (A/63/5/Add.1 and Corr.1).

[6] Ibid., *Supplement No. 5B* and corrigendum (A/63/5/Add.2 and Corr.1).

[7] Ibid., *Supplement No. 5C* (A/63/5/Add.3).

[8] Ibid., *Supplement No. 5D* (A/63/5/Add.4).

[9] Ibid., *Supplement No. 5E* (A/63/5/Add.5).

[10] Ibid., *Supplement No. 5F* (A/63/5/Add.6).

[11] Ibid., *Supplement No. 5G* (A/63/5/Add.7).

[12] Ibid., *Supplement No. 5H* (A/63/5/Add.8).

[13] Ibid., *Supplement No. 5I* (A/63/5/Add.9).

Project Services,[14] the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 [15] and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[16] the concise summary of principal findings and conclusions contained in the reports prepared by the Board of Auditors,[17] the reports of the Secretary-General on the implementation of the recommendations of the Board of Auditors on the accounts of the United Nations for the biennium ended 31 December 2007, on the capital master plan for the year ended 31 December 2007 and on the financial statements of the funds and programmes of the United Nations for the financial period ended 31 December 2007 [18] and the report of the Advisory Committee on Administrative and Budgetary Questions,[19]

1. *Accepts* the financial reports and audited financial statements and the reports and audit opinions of the Board of Auditors for the above-mentioned organizations;[2-16]

2. *Approves* the recommendations and conclusions contained in the reports of the Board of Auditors;

3. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[19]

4. *Emphasizes* that the Board of Auditors shall be completely independent and solely responsible for the conduct of audit;

5. *Decides* to consider further the reports of the Board of Auditors on the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia under the respective agenda items relating to the Tribunals;

6. *Commends* the Board of Auditors for the superior quality of its reports, in particular with respect to its comments on the management of resources and improving the presentation of financial statements;

7. *Recalls* the statute of the International Civil Service Commission[20] and the central role of the Commission and the General Assembly in the regulation and coordination of the conditions of service of the United Nations common system;

8. *Also recalls* its resolution 61/233 B, in which it reiterated that the issue of outstanding assessed contributions is a policy matter of the General Assembly, and urges all Member States to make every possible effort to ensure the payment of their assessed contributions in full and on time;

9. *Stresses* that the employment of staff shall continue to be carried out in strict accordance with Article 101 of the Charter of the United Nations and in line with the relevant provisions of its resolutions;

10. *Takes note* of the reports of the Secretary-General on the implementation of the recommendations of the Board of Auditors on the accounts of the United Nations for the biennium ended 31 December 2007, on the capital master plan for the year ended 31 December 2007 and on the financial statements of the funds and programmes of the United Nations for the financial period ended 31 December 2007,[18] and also takes note of the improvements made on the implementation rate;

11. *Reiterates its request* to the Secretary-General and the executive heads of the funds and programmes of the United Nations to ensure full implementation of the recommendations of the Board of Auditors and the related recommendations of the Advisory Committee on Administrative and Budgetary Questions in a prompt and timely manner and to hold programme managers accountable for non-implementation of the recommendations;

12. *Requests* the Secretary-General to provide in his reports on the implementation of the recommendations of the Board of Auditors on the accounts of the United Nations as well as on the financial statements of its funds and programmes a full explanation for the delays in the implementation of the recommendations of the Board, in particular those recommendations not yet fully implemented which are two or more years old;

13. *Also requests* the Secretary-General to indicate in future reports an expected time frame for the implementation of the recommendations of the Board of Auditors, the priorities for their implementation and the office holders to be held accountable.

RESOLUTION 63/247

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/611, para. 7)

63/247. Programme planning

The General Assembly,

Recalling its resolutions 37/234 of 21 December 1982, 38/227 A of 20 December 1983, 41/213 of 19 December 1986, 55/234 of 23 December 2000, 56/253 of 24 December 2001,

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[14] Ibid., *Supplement No. 5J* (A/63/5/Add.10).

[15] Ibid., *Supplement No. 5K* (A/63/5/Add.11).

[16] Ibid., *Supplement No. 5L* (A/63/5/Add.12).

[17] See A/63/169.

[18] A/63/327 and Add.1.

[19] A/63/474.

[20] Resolution 3357 (XXIX), annex.

57/282 of 20 December 2002, 58/268 and 58/269 of 23 December 2003, 59/275 of 23 December 2004, 60/257 of 8 May 2006, 61/235 of 22 December 2006 and 62/224 of 22 December 2007,

Recalling also the terms of reference of the Committee for Programme and Coordination, as outlined in the annex to Economic and Social Council resolution 2008 (LX) of 14 May 1976,

Having considered the report of the Committee for Programme and Coordination on the work of its forty-eighth session,[21] the proposed strategic framework for the period 2010–2011: part one: plan outline[22] and part two: biennial programme plan,[23] and the report of the Secretary-General on the programme performance of the United Nations for the biennium 2006–2007,[24]

1. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the programme performance of the United Nations for the biennium 2006–2007, contained in chapter II, section A, of its report on the work of its forty-eighth session,[21] and on the proposed biennial programme plan for the period 2010–2011, contained in chapter II, section B;

2. *Decides* that the priorities for the period 2010–2011 shall be the following:

(*a*) Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences;

(*b*) Maintenance of international peace and security;

(*c*) Development of Africa;

(*d*) Promotion of human rights;

(*e*) Effective coordination of humanitarian assistance efforts;

(*f*) Promotion of justice and international law;

(*g*) Disarmament;

(*h*) Drug control, crime prevention and combating international terrorism in all its forms and manifestations;

3. *Stresses* that setting the priorities of the United Nations is the prerogative of the Member States, as reflected in legislative mandates;

4. *Also stresses* the need for Member States to participate fully in the budget preparation process, from its early stages and throughout the process;

5. *Requests* the Secretary-General to prepare the proposed programme budget for the biennium 2010–2011 on the basis of the above priorities and the biennial programme plan as adopted in the present resolution;

6. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on evaluation, contained in chapter II, section C, of its report; on the annual overview report of the United Nations System Chief Executives Board for Coordination, contained in chapter III, section A; on the New Partnership for Africa's Development, contained in chapter III, section B; and on improving the working methods and procedures of the Committee within the framework of its mandate, contained in chapter IV;

7. *Reaffirms* the role of the Committee for Programme and Coordination in monitoring and evaluation, and recalls paragraph 11 of its resolution 62/224;

8. *Recognizes* the importance of continuing to improve the logical framework, and in this regard encourages programme managers to further improve the qualitative aspects of indicators of achievement in order to enable better evaluation of results, bearing in mind the importance of defining the indicators in a way that ensures their clear measurability;

9. *Reaffirms* the role of the Committee for Programme and Coordination as the main subsidiary organ of the General Assembly and the Economic and Social Council for planning, programming and coordination, recalls regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,[25] and emphasizes that the Committee for Programme and Coordination should enhance its coordination role in order to increase planning efficiency and effectiveness so as to continue to ensure the timeliness of the implementation of, and prevent duplication and redundancy in, the actions of the Organization;

10. *Welcomes* the progress made by the Committee for Programme and Coordination in improving its working methods and procedures within the framework of its mandate, as well as the decision of the Committee to remain seized of the matter.

RESOLUTION 63/248

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/638, para. 6)

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[21] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 16* (A/63/16).

[22] A/63/6 (Part one).

[23] A/63/6 (Prog. 1–16, 17 and Corr.1, 18–22, 23 and Corr.1 and 24–27).

[24] A/63/70.

[25] ST/SGB/2000/8.

63/248. Pattern of conferences

The General Assembly,

Recalling its relevant resolutions, including resolutions 40/243 of 18 December 1985, 41/213 of 19 December 1986, 43/222 A to E of 21 December 1988, 51/211 A to E of 18 December 1996, 52/214 of 22 December 1997, 53/208 A to E of 18 December 1998, 54/248 of 23 December 1999, 55/222 of 23 December 2000, 56/242 of 24 December 2001, 56/254 D of 27 March 2002, 56/262 of 15 February 2002, 56/287 of 27 June 2002, 57/283 A of 20 December 2002, 57/283 B of 15 April 2003, 58/250 of 23 December 2003, 59/265 of 23 December 2004, 60/236 A of 23 December 2005, 60/236 B of 8 May 2006, 61/236 of 22 December 2006 and 62/225 of 22 December 2007,

Reaffirming its resolution 42/207 C of 11 December 1987, in which it requested the Secretary-General to ensure the equal treatment of the official languages of the United Nations,

Having considered the report of the Committee on Conferences for 2008,[26] the relevant report of the Secretary-General[27] and the report of the Office of Internal Oversight Services on the audit of the existing special arrangements governing the recruitment of temporary assistance staff in the language services across the four main duty stations,[28]

Having also considered the report of the Advisory Committee on Administrative and Budgetary Questions,[29]

Reaffirming the pertinent provisions relating to conference services in its resolutions on multilingualism, in particular resolution 61/266 of 16 May 2007,

I

Calendar of conferences and meetings

1. *Welcomes* the report of the Committee on Conferences for 2008;[26]

2. *Approves* the draft revised calendar of conferences and meetings of the United Nations for 2009, as submitted by the Committee on Conferences,[30] taking into account the observations of the Committee and subject to the provisions of the present resolution;

3. *Authorizes* the Committee on Conferences to make any adjustments to the calendar of conferences and meetings for 2009 that may become necessary as a result of actions and decisions taken by the General Assembly at its sixty-third session;

4. *Notes with satisfaction* that the Secretariat has taken into account the arrangements referred to in General Assembly resolutions 53/208 A, 54/248, 55/222, 56/242, 57/283 B, 58/250, 59/265, 60/236 A, 61/236 and 62/225 concerning Orthodox Good Friday and the official holidays of Eid al-Fitr and Eid al-Adha, and requests all intergovernmental bodies to observe those decisions when planning their meetings;

5. *Requests* the Secretary-General to ensure that any modification to the calendar of conferences and meetings is implemented strictly in accordance with the mandate of the Committee on Conferences and other relevant resolutions of the General Assembly;

6. *Notes* that accurate, timely and consistent information provided to the Fifth Committee during its informal consultations facilitates the decision-making process in the Committee;

II

A. Utilization of conference-servicing resources

1. *Reaffirms* the practice that, in the use of conference rooms, priority must be given to the meetings of Member States;

2. *Notes* that the overall utilization factor at the four main duty stations remained at 83 per cent in 2007, the same as in 2006, which is above the established benchmark of 80 per cent;

3. *Welcomes* the steps taken by those bodies that have adjusted their programmes of work in order to achieve the optimum utilization of conference-servicing resources, and requests the Committee on Conferences to continue consultations with the secretariats and bureaux of bodies that underutilize their conference-servicing resources;

4. *Recognizes* that late starts and unplanned early endings seriously affect the bodies' utilization factor owing to the amount of time lost, and invites the secretariats and bureaux of bodies to pay adequate attention to avoiding late starts and unplanned early endings;

5. *Notes* that the percentage of meetings held by the bodies entitled to meet "as required" that were provided with interpretation services in New York in 2007 was 88 per cent, and requests the Secretary-General to continue to report on the provision of conference services to these bodies through the Committee on Conferences;

6. *Recognizes* the importance of meetings of regional and other major groupings of Member States for the smooth functioning of the sessions of intergovernmental bodies, and

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[26] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 32* (A/63/32).

[27] A/63/119 and Corr.1 and Add.1.

[28] A/63/94.

[29] A/63/509.

[30] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 32* (A/63/32), annex II.

requests the Secretary-General to ensure that, as far as possible, all requests for conference services for the meetings of regional and other major groupings of Member States are met;

7. *Acknowledges with appreciation* the improvement in the percentage of meetings held by regional and other major groupings of Member States that were provided with interpretation services at the four main duty stations, which increased to 84 per cent in 2007 from 76 per cent in 2006, and requests the Secretary-General to continue to employ innovative means to address the difficulties experienced by Member States owing to the lack of conference services for some meetings of regional and other major groupings of Member States and to report thereon to the General Assembly through the Committee on Conferences;

8. *Once again urges* intergovernmental bodies to spare no effort at the planning stage to take into account the meetings of regional and other major groupings of Member States, to make provision for such meetings in their programmes of work and to notify conference services, well in advance, of any cancellations so that unutilized conference-servicing resources may, to the extent possible, be reassigned to meetings of regional and other major groupings of Member States;

9. *Notes with satisfaction* that, in accordance with several General Assembly resolutions, including resolution 61/236, section II.A, paragraph 9, in conformity with the headquarters rule, all meetings of Nairobi-based United Nations bodies were held in Nairobi in 2007, and requests the Secretary-General to report thereon to the Assembly at its sixty-fourth session through the Committee on Conferences;

10. *Notes with appreciation* ongoing promotional efforts and initiatives undertaken by the management of the conference centre of the Economic Commission for Africa, which led to a continued upward trend in utilization of the premises in 2007;

11. *Requests* the Secretary-General to continue to explore means to increase the utilization of the conference centre of the Economic Commission for Africa, bearing in mind the headquarters minimum operating security standards, and to report thereon to the General Assembly at its sixty-fourth session;

12. *Calls upon* the Secretary-General and Member States to adhere to the guidelines and procedures contained in the administrative instruction for the authorization of the use of United Nations premises for meetings, conferences, special events and exhibits;[31]

13. *Emphasizes* that such meetings, conferences, special events and exhibits must be consistent with the purposes and principles of the United Nations;

14. *Regrets* the voting incident in the seventh meeting of the Fourth Committee, and requests the Secretary-General to ensure prompt and effective communication between the Secretariat and members of the General Committee;

15. *Requests* the Secretary-General to report on the measures taken to avoid the recurrence of the above-mentioned situation in his next annual report on the pattern of conferences;

B. Impact of the capital master plan, strategy IV (phased approach), on meetings held at Headquarters during its implementation

1. *Requests* the Secretary-General to ensure that implementation of the capital master plan, including the temporary relocation of conference-servicing staff to a swing space, will not compromise the quality of conference services provided to Member States in the six official languages and the equal treatment of the language services, which should be provided with equally favourable working conditions and resources, with a view to receiving the maximum quality of services;

2. *Requests* all meeting requesters and organizers to liaise closely with the Department for General Assembly and Conference Management of the Secretariat on all matters related to the scheduling of meetings to allow maximum predictability in coordinating activities at Headquarters during the construction period;

3. *Requests* the Committee on Conferences to keep the matter under constant review, and requests the Secretary-General to report regularly to the Committee on matters pertaining to the calendar of conferences and meetings of the United Nations during the construction period;

4. *Requests* the Secretary-General to continue to provide adequate information technology support for conference services, within the existing resources of the Department for General Assembly and Conference Management, in order to ensure their seamless operation throughout the implementation of the capital master plan;

5. *Notes* that during the implementation of the capital master plan, a part of the conference-servicing staff and information technology resources of the Department for General Assembly and Conference Management will be temporarily relocated to a swing space, and requests the Secretary-General to continue to provide adequate support, within the existing resources of the Department, to ensure continued maintenance of the information technology facilities of the Department, implementation of the global information technology initiative and delivery of quality conference services;

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[31] ST/AI/416.

6. *Requests* the Secretary-General to consult Member States on initiatives that affect the utilization of conference services and conference facilities;

III

Integrated global management

1. *Notes with appreciation* the progress achieved in the implementation of the global information technology project, aimed at integrating, across duty stations, information technology into meetings management and documentation-processing systems, and the global approach to harmonizing standards and information technology and sharing good practices and technological achievements among conference services at the four main duty stations;

2. *Also notes with appreciation* the initiatives undertaken in the context of integrated global management aimed at streamlining procedures, achieving economies of scale and improving the quality of conference services, and in this regard stresses the importance of ensuring equal treatment of conference-servicing staff as well as the principle of equal grade for equal work at the four main duty stations;

3. *Emphasizes* that the major goals of the Department for General Assembly and Conference Management are to provide high-quality documents in a timely manner in all official languages in accordance with established regulations, as well as high-quality conference services to Member States at all duty stations, and to achieve those aims as efficiently and cost-effectively as possible, in accordance with the relevant resolutions of the General Assembly;

4. *Requests* the Secretary-General to include in his next report on the pattern of conferences information about the financial savings achieved through implementation of the integrated global management projects;

5. *Also requests* the Secretary-General to ensure that all language services are given equal treatment and are provided with equally favourable working conditions and resources, with a view to achieving maximum quality of services, with full respect for the specificities of the six official languages and taking into account their respective workloads;

6. *Reiterates* the need for the Secretary-General to ensure the compatibility of technologies used in all duty stations and to ensure that they are user-friendly in all official languages;

7. *Requests* the Secretary-General to complete the task of uploading all important older United Nations documents onto the United Nations website in all six official languages on a priority basis, so that these archives are also available to Member States through that medium;

8. *Reiterates* that the satisfaction of Member States is a key performance indicator in conference management and conference services;

9. *Requests* the Secretary-General to continue to ensure that measures taken by the Department for General Assembly and Conference Management to seek the evaluation by Member States of the quality of the conference services provided to them, as a key performance indicator of the Department, provide equal opportunities to Member States to present their evaluations in the six official languages of the United Nations and are in full compliance with relevant resolutions of the General Assembly, and requests the Secretary-General to report to the Assembly, through the Committee on Conferences, on progress made in this regard;

10. *Also requests* the Secretary-General to continue to explore best practices and techniques in client satisfaction evaluations and to report on a regular basis to the General Assembly on the results achieved;

11. *Welcomes* the efforts made by the Department for General Assembly and Conference Management to seek the evaluation by Member States of the quality of the conference services provided to them, and requests the Secretary-General to continue to explore innovative ways to systematically capture and analyse feedback from Member States and committee chairpersons and secretaries on the quality of conference services and to report thereon to the General Assembly through the Committee on Conferences;

12. *Requests* the Secretary-General to keep the General Assembly apprised of progress made in integrated global management;

13. *Also requests* the Secretary-General to ensure that the administrative policies, practices and procedures of conference services developed on the basis of recommendations of the task forces are in full compliance with relevant General Assembly resolutions;

IV

Documentation and publication-related matters

1. *Emphasizes* the paramount importance of the equality of the six official languages of the United Nations;

2. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

3. *Stresses* that matters related to conference management, including documentation, fall within the purview of the Fifth Committee;

4. *Reiterates with concern its request* to the Secretary-General to ensure that the rules concerning the simultaneous distribution of documents in all six official languages are strictly respected as regards both the distribution of printed copies and the posting of parliamentary documentation on the Official Document System and the United Nations website, in keeping with section III, paragraph 5, of its resolution 55/222;

5. *Reaffirms its decision* in section III, paragraph 9, of its resolution 59/265 that the issuance of documents in all six official languages on planning, budgetary and administrative matters requiring urgent consideration by the General Assembly shall be accorded priority;

6. *Requests* the Secretary-General to improve the documents planning process to ensure that the Fifth Committee receives, in the six official languages, all documents necessary for its consideration of a particular item, including reports of the Advisory Committee on Administrative and Budgetary Questions, within the established time limits;

7. *Reiterates its request* to the Secretary-General to direct all departments of the Secretariat to include the following elements in their reports:

(*a*) Summary of the report;

(*b*) Consolidated conclusions, recommendations and other proposed actions;

(*c*) Relevant background information;

8. *Reiterates its request* that all documents submitted to legislative organs by the Secretariat and intergovernmental and expert bodies for consideration and action have conclusions and recommendations in bold print;

9. *Requests* the Secretary-General to continue to take steps to improve the quality and accuracy of meeting records in all six official languages through full reliance in the preparation and translation of those records on sound recordings and written texts of statements as they were delivered in the original languages;

10. *Expresses its deep concern* at the unprecedented, high level of late submission of documentation by author departments, which, in turn, has a negative impact on the functioning of intergovernmental bodies, and requests the Secretary-General to report to the General Assembly at its sixty-fourth session, through the Committee on Conferences, on urgent measures taken to improve overall timely submission, in particular by those submitting entities with submission compliance below 90 per cent for three years in a row;

11. *Notes with concern* the unprecedented delays in the issuance of documents in 2008, which heavily impacted on the work of the General Assembly, and requests the Secretary-General to elaborate more effective accountability measures to ensure that both authors and their senior managers provide for the timely issuance of documents in all six official languages and to report to the General Assembly at its sixty-fourth session through the Committee on Conferences;

12. *Requests* the Secretary-General to enhance his efforts to address the problem cited in paragraph 10 above, particularly as experienced with documentation considered at the second resumed session of the Fifth Committee during the sixty-second session of the General Assembly, including convening the task force formed to study this matter, to provide an interim report on documentation concerning peacekeeping financing, to report on the results of these consultations and actions taken to solve this problem to the General Assembly, through the Committee on Conferences at its organizational session in 2009, in order for the Fifth Committee to consider the report at its second resumed session, and to provide a comprehensive report to the General Assembly at its sixty-fourth session through the Committee on Conferences;

13. *Recognizes* the increase in the workload of the Advisory Committee on Administrative and Budgetary Questions and the growing volume of reports and other documents before it, decides to authorize the Advisory Committee to meet for two additional weeks in 2009, on an exceptional basis, invites the Advisory Committee to continue considering how to better address its workload, and decides to discuss the number of weeks in a session of the Advisory Committee in the context of the proposed programme budget for the biennium 2010–2011;

14. *Requests* the Secretary-General to report on the associated expenditures in the second performance report on the programme budget for the biennium 2008–2009;

15. *Stresses* the importance of the concordance principle in order to ensure equally valid texts of resolutions in all six official languages;

16. *Recalls*, section C, paragraph 12, of its resolution 54/248 and section III, paragraph 13, of its resolution 55/222, and reiterates its request to the Secretary-General to publish, prior to its sixty-fourth session, an updated version of the Financial Regulations and Rules of the United Nations in the six official languages of the Organization;

V

Translation and interpretation-related matters

1. *Recalls* rule 153 of the rules of procedure of the General Assembly;

2. *Requests* the Secretary-General to redouble his efforts to ensure the highest quality of interpretation and translation services in all six official languages;

3. *Reiterates its request* that the Secretary-General make sure that the terminology used in the translation and interpretation services reflects the latest linguistic norms and terminology of the official languages in order to ensure the highest quality;

4. *Takes note* of the recommendations provided by the Office of Internal Oversight Services of the Secretariat in its report,[28] and requests the Secretary-General to ensure their full

implementation and to report thereon to the General Assembly at its sixty-fourth session through the Committee on Conferences;

5. *Reaffirms* section IV, paragraph 3, of its resolution 59/265, section IV, paragraph 4, of its resolution 60/236 B, section V, paragraph 3, of its resolution 61/236 and section V, paragraph 3, of its resolution 62/225, and reiterates its request that the Secretary-General, when recruiting temporary assistance in the language services, ensure that all language services are given equal treatment and are provided with equally favourable working conditions and resources, with a view to achieving maximum quality of their services, with full respect for the specificities of each of the six official languages and taking into account their respective workloads;

6. *Expresses continued concern* at the high vacancy rate in the interpretation and translation services at the United Nations Office at Nairobi, and requests the Secretary-General to address this as a matter of priority through, inter alia, assistance from Member States in advertising and facilitating the conduct of competitive examinations to fill these language vacancies;

7. *Notes with appreciation* the measures taken by the Secretariat to fill current and future vacancies at the United Nations Office at Nairobi and the information contained in paragraph 107 of the report of the Secretary-General on the pattern of conferences,[32] and requests the Secretary-General to consider further measures aimed at decreasing the vacancy rates in Nairobi and to report thereon to the General Assembly at its sixty-fourth session;

8. *Also notes with appreciation* the initiative to seek a long-term solution to the high vacancy rates in language services in the United Nations Office at Nairobi by engaging the services of a consultant to explore the possibilities of providing enhanced training programmes to potential professional translators and interpreters on the African continent, and requests the Secretary-General to report to the General Assembly at its sixty-fourth session on efforts in this regard;

9. *Requests* the Secretary-General to examine all aspects concerning recruitment and retention of language staff at the United Nations Office at Nairobi, to make recommendations in this regard and to report to the General Assembly at its sixty-fourth session through the Committee on Conferences;

10. *Recognizes* the acute problems faced by the United Nations Office at Geneva in providing conference services as required, as described by the Secretary-General in paragraph 103 of his report on the pattern of conferences,[32] and in this connection requests the Secretary-General to address these problems and to make all efforts to meet requirements in the context of the latest surge of meetings;

11. *Requests* the Secretary-General to seek a more effective strategy to fill current and future language post vacancies at all duty stations in a timely manner, takes note of paragraph 92 of the report of the Secretary-General on the pattern of conferences,[32] and also requests the Secretary-General to hold the competitive examinations for the recruitment of language staff referred to in that paragraph, as well as other examinations beyond 2009, well in advance so as to fill current and future language post vacancies at all duty stations in a timely manner, and to inform the General Assembly at its sixty-fourth session of efforts in this regard;

12. *Welcomes* the measures taken by the Secretary-General to address more effectively the demographic situation and the issue of succession planning, in particular by resorting to temporary assistance in dealing with acute needs, as well as enhancing internal and external training programmes, developing staff exchange programmes among organizations and participating in outreach to institutions that train language staff for international organizations, and requests him to continue to take such measures;

13. *Requests* the Secretary-General to continue exploring the possibility of introducing a traineeship programme in order to attract and train young professionals for a career in the language services of the United Nations;

14. *Notes with concern* the challenges presented by the demographic situation in the language services, as described in paragraphs 91 to 95 of the report of the Secretary-General;[32]

15. *Notes* that the intention of the General Assembly, in adopting section VI, paragraph 1, of its resolution 57/305 of 15 April 2003, was to increase the availability of retired language staff for employment with the language services, and requests the Secretary-General to clarify and in turn implement the provisions of that paragraph concerning the ceiling on United Nations earnings of United Nations language staff retirees;

16. *Requests* the Secretary-General to continue to seek evaluation by Member States of the quality of the conference services provided to them, including through the language-specific informational meetings held twice a year, and to ensure that such measures provide equal opportunities to Member States to present their evaluations in the six official languages of the United Nations and are in full compliance with the relevant resolutions of the General Assembly;

17. *Also requests* the Secretary-General to continue to improve the accuracy of translation of documents into the six official languages, giving particular significance to the quality of translation;

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[32] A/63/119 and Corr.1.

18. *Further requests* the Secretary-General to take the steps necessary to enhance translation quality in all six official languages, in particular for contractual translation, and to report thereon to the General Assembly at its sixty-fourth session;

19. *Requests* the Secretary-General to provide, at all duty stations, adequate staff at the appropriate level, with a view to ensuring appropriate quality control for external translation, with due consideration of the principle of equal grade for equal work;

20. *Takes note* of the information on the impact of freelance recruitment on the quality of interpretation at all duty stations contained in paragraphs 101 to 105 of the report of the Secretary-General,[32] and requests the Secretary-General to report on the issue to the General Assembly at its sixty-fourth session through the Committee on Conferences;

21. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the experience, lessons learned and best practices of the main duty stations in performing quality control of contractual translations, including on requirements relating to the number and appropriate level of the staff needed to carry out this function.

RESOLUTION 63/249

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/472/Add.1, para. 6)

63/249. Unpaid assessed contributions of the former Yugoslavia

The General Assembly,

Having considered the report of the Secretary-General on the unpaid assessed contributions of the former Yugoslavia,[33] the letter dated 27 December 2001 from the Secretary-General addressed to the President of the General Assembly,[34] the note by the Secretary-General on the outstanding assessed contributions of the former Yugoslavia[35] and the letter dated 2 November 2006 from the Permanent Representative of Slovenia to the United Nations addressed to the Secretary-General,[36]

1. *Decides* that the unpaid assessed contributions to the account of the former Yugoslavia up to 27 April 1992, in the amount of 1,254,230 United States dollars, shall be apportioned among the successor States of the Socialist Federal Republic of Yugoslavia, taking into account the respective dates on which each successor State informed the Secretary-General that it had ceased to exist as part of the Socialist Federal Republic of Yugoslavia, and the proportions set forth in article 5 (2) of annex C to the Agreement on Succession Issues of 29 June 2001,[37] as well as relevant decisions of the General Assembly concerning the United Nations Emergency Force and the United Nations Operation in the Congo;

2. *Also decides* that, after taking into account the remaining advance of 26,000 dollars to the Working Capital Fund, the net balance of the unpaid assessed contributions to the account of the former Yugoslavia in the amount of 14,817,896 dollars shall be charged against the respective fund balances;

3. *Urges*, in this regard, the successor States of the Socialist Federal Republic of Yugoslavia to inform the Secretary-General as soon as possible of their respective shares of the outstanding amounts and credits, in accordance with paragraph 1 above;

4. *Decides* that the issue of the unpaid assessed contributions to the account of the former Yugoslavia shall be considered to be finally resolved upon receipt by the Secretary-General of the information requested in paragraph 3 above, and that the resolution of the issue of the unpaid assessed contributions of the former Yugoslavia to the United Nations shall be applicable only to that issue, without prejudice to any other related decisions and issues.

RESOLUTION 63/250

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/639, para. 6)

63/250. Human resources management

The General Assembly,

Recalling Articles 8, 97, 100 and 101 of the Charter of the United Nations,

Recalling also its resolutions 49/222 A and B of 23 December 1994 and 20 July 1995, 51/226 of 3 April 1997, 52/219 of 22 December 1997, 52/252 of 8 September 1998, 53/221 of 7 April 1999, 55/258 of 14 June 2001, 57/305 of 15 April 2003, 58/296 of 18 June 2004, 59/266 of 23 December 2004, 60/1 of 16 September 2005, 60/260 of 8 May 2006, 61/244 of 22 December 2006, 61/276, section VIII, of 29 June 2007, 62/238, section XXI, of 22 December 2007 and 62/248 of 3 April 2008, as well as its other relevant resolutions and decisions,

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[33] A/60/140 and Corr.1.

[34] A/56/767.

[35] A/58/189.

[36] A/C.5/61/11.

[37] United Nations, *Treaty Series*, vol. 2262, No. 40296.

Reaffirming that the staff of the United Nations is an invaluable asset of the Organization, and commending its contribution to furthering the purposes and principles of the United Nations,

Paying tribute to the memory of all staff members who have lost their lives in the service of the Organization,

Having considered the relevant reports on human resources management submitted to the General Assembly,[38]

Having also considered the report of the Office of Internal Oversight Services on an in-depth evaluation of the Office of Human Resources Management[39] and the addendum to the report of the International Civil Service Commission for 2006,[40]

Having further considered the related reports of the Advisory Committee on Administrative and Budgetary Questions,[41]

Endorses the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[41] subject to the provisions of the present resolution;

I

Human resources management reform

1. *Emphasizes* the fundamental importance of human resources management reform in the United Nations as a contribution to the strengthening of the international civil service, recalls, in this context, the reports of the International Civil Service Commission, and reaffirms its commitment to the implementation of these reforms;

2. *Stresses* the importance of a meaningful and constructive dialogue between staff and management, in particular on human resources-related issues, and calls upon both parties to intensify efforts to overcome differences and to resume the consultative process;

3. *Expresses concern* over the fact that staff representatives from New York and Geneva have withdrawn from participation in the Staff-Management Coordination Committee, and reiterates its call to the staff representatives from New York and Geneva and management to intensify efforts to overcome differences and to engage in a consultative process;

4. *Requests* the Secretary-General to take advantage of the existing mechanisms for conflict resolution and mediation as deemed useful and appropriate in order to facilitate renewed dialogue between staff and management;

5. *Recalls* section I, paragraphs 1 and 3, of its resolution 61/244, bearing in mind article VIII of the Staff Regulations, and requests the Secretary-General to submit proposals to the General Assembly at its sixty-fifth session to review the staff-management mechanism for addressing human resources management issues, in consultation with relevant bodies;

6. *Takes note* of the report of the Office of Internal Oversight Services on an in-depth evaluation of the Office of Human Resources Management,[39] in particular the recommendations set out in section VI thereof;

7. *Requests* the Secretary-General, taking into account paragraph 22 of the report of the Advisory Committee on Administrative and Budgetary Questions,[42] to ensure that measures to identify and promote future leaders have clear criteria and mechanisms for selection, and that they are implemented within the framework of the staff selection system, and to provide information on their precise financial implications;

II

Contractual arrangements and harmonization of conditions of service

1. *Stresses* the need for rationalization of the current United Nations system of contractual arrangements, which lacks transparency and is complex to administer;

2. *Approves* the new contractual arrangements which would comprise three types of appointments (temporary, fixed-term and continuing), under one set of Staff Rules, effective 1 July 2009, as set out in its resolution 62/248 and subject to the provisions of the present resolution;

3. *Requests* the Secretary-General not to appoint any staff to continuing contracts before 1 January 2010 pending consideration by the General Assembly of the additional information concerning the implementation of continuing contracts;

4. *Also requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the following

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[38] A/61/206, A/61/694 and Add.1, A/61/732, A/61/806 and Add.1, A/61/822, A/61/823, A/61/850, A/61/861, A/61/957, A/61/1029, A/62/185, A/62/186, A/62/215, A/62/274, A/62/285, A/62/315, A/62/707 and Add.1, A/62/845 and Add.1, A/62/890, A/63/132, A/63/189, A/63/204, A/63/208, A/63/282, A/63/285, A/63/290, A/63/298, A/63/301 and A/63/310 and Add.1–3.

[39] A/63/221.

[40] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 30*, addendum (A/61/30/Add.1).

[41] A/62/7/Add.14 (for the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*) and A/63/526 and Corr.1.

[42] A/63/526 and Corr.1.

issues with a view to the implementation of a system for the continuing appointment regime by 1 January 2010:

(*a*) Rigorous and transparent procedures for granting continuing appointments to staff, including the criteria for eligibility, the relationship with disciplinary measures and the central management of conversions;

(*b*) The role of the performance appraisal system and options for strengthening it to ensure that staff members considered for continuing appointments have demonstrated the highest standards of efficiency, competence and integrity, taking into account any deliberations of the International Civil Service Commission on this issue;

(*c*) The financial and management implications of converting appointments from fixed-term to continuing appointments, and the possible establishment of a ceiling on the number of conversions;

(*d*) Analysis of the implications of the proposed continuing appointments for the system of geographical ranges;

(*e*) Rigorous and transparent procedures to review the performance of staff and the continuing need for functions when determining the granting and termination of an appointment of a staff member, as well as clear and firm lines of accountability, to fully ensure that the granting and termination of continuing contracts is undertaken in a fair and transparent manner, with full regard to due process and the rights of staff;

(*f*) Options for ensuring that successful candidates from national competitive examinations and language staff are not disadvantaged by proposed changes;

(*g*) Analysis of the implications for Junior Professional Officers;

(*h*) The potential ramifications of the proposed amendment to staff regulation 9.1;

5. *Decides* to continue to suspend until 30 June 2009 the application of the four-year limit for appointments of limited duration under the 300 series of the Staff Rules in peacekeeping operations;

6. *Authorizes* the Secretary-General, bearing in mind paragraph 5 of the present section, to reappoint under the 100 series of the Staff Rules those mission staff whose service under 300-series contracts has reached the four-year limit by 30 June 2009, provided that their functions have been reviewed and found necessary and that their performance has been confirmed as fully satisfactory;

7. *Decides* that temporary appointments are to be used to appoint staff for seasonal or peak workloads and specific short-term requirements for less than one year but could be renewed for up to one additional year when warranted by surge requirements and operational needs related to field operations and special projects with finite mandates;

8. *Also decides* that staff on temporary contracts would be eligible to receive only the following benefits and allowances: post adjustment; rental subsidy; hazard pay; hardship allowance; the daily subsistence allowance portion of the assignment grant; leave (depending on the length of contract); home leave (per classification of duty station); and limited shipment allowance;

9. *Requests*, in this regard, the Secretary-General to provide information on the circumstances in which the renewal of a temporary appointment for up to one additional year could be granted;

10. *Decides* that the field staff serving on 300-series appointments of less than four years who are not performing temporary functions are to be given mission-specific fixed-term contracts until such time as they have gone through a competitive process subject to the review of a central review body;

11. *Also decides* that staff on 100-, 200- and 300-series contracts serving in locations other than peacekeeping operations and special political missions for a cumulative period of more than one year who are not performing temporary functions are to be given fixed-term contracts until such time as they have gone through a competitive process subject to the review of a central review body;

12. *Requests* the Secretary-General to submit to the General Assembly for consideration at the first part of its resumed sixty-third session draft regulations by which the streamlined system of contracts could be implemented;

13. *Also requests* the Secretary-General to evaluate the impact of the implementation of the new system of contracts, including its financial implications, and to report to the General Assembly on this matter no earlier than at its sixty-seventh session;

14. *Further requests* the Secretary-General to discontinue the practice of assigning staff from Headquarters to missions on a travel status basis for a period of more than three months;

15. *Recalls* section V, paragraph 2, of its resolution 51/226, in which it requested the Secretary-General to make efforts to achieve the level of 70 per cent of permanent appointments in posts subject to geographical distribution;

16. *Encourages* the Secretary-General, in accordance with legislative mandates, to ensure a judicious mix of career and fixed-term appointments, so as to have an appropriate balance between institutional memory, long-term commitment and independence and the ability to bring in fresh insight and expertise, and to dismiss non-performing staff;

17. *Recognizes* that an effective and credible performance appraisal system is an important element in the implementation of the new contractual arrangements;

18. *Acknowledges* the need to centrally manage the conversion from fixed-term to continuing appointments on a competitive and transparent basis;

19. *Decides* to revert at its sixty-fifth session to the proposal of the Secretary-General to create a cadre of civilian career peacekeepers in the light of the lessons learned from the implementation of the new arrangements for contracts and conditions of service;

20. *Stresses* that the fair and equitable implementation of new contractual arrangements will be directly linked to the effective functioning of the new system of administration of justice;

21. *Decides* that there shall be no expectations, legal or otherwise, of renewal or conversion of a fixed-term contract, irrespective of the length of service, and requests the Secretary-General to reflect this provision in the rules and regulations as well as offers and letters of appointment;

22. *Also decides* that, in the context of the Secretary-General's proposal, "in the interest of the good administration of the Organization" is to be interpreted principally as a change or termination of a mandate;

23. *Reaffirms* that, while continuing appointments are not implemented, successful candidates from national competitive recruitment examinations and staff from language services after two years of probationary service will continue to be granted open-ended appointments according to the current practice;

24. *Decides* that the period of service of Junior Professional Officers shall not be taken into account as part of the requisite period of service for a continuing appointment;

25. *Notes* that the International Civil Service Commission will be reviewing all separation payments, including the possibility of an end-of-service bonus;

26. *Decides* to designate existing established missions as family missions and existing special missions as non-family missions, effective 1 July 2009;

27. *Also decides* that all staff appointed or assigned to non-family missions shall be installed in accordance with conditions of the United Nations common system, without the special-operations approach;

28. *Requests* the International Civil Service Commission to keep the issue of United Nations common system conditions of service in the field under review;

29. *Decides* to keep the issue of United Nations common system conditions of service in the field under review;

30. *Approves* the introduction of a rest and recuperation scheme to include travel time, appropriate to the location, but no payment of travel to the staff member, for internationally recruited staff members in United Nations field operations to replace the occasional recuperation break, effective 1 January 2009;

III

Recruitment and staffing

1. *Reiterates* that the Secretary-General has to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard to the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations;

2. *Reaffirms* that measures on meeting organizational mandates, accountability targets and indicators of achievement, including with respect to geographical distribution of staff and gender balance, contained in human resources action plans and recruitment procedures, including selection decisions, shall fully correspond to the provisions contained in Article 101, paragraph 3, of the Charter as well as in relevant General Assembly mandates;

3. *Notes* that the upcoming demographic transition of United Nations staff will present organizational challenges in terms of staff continuity and possible loss of institutional knowledge as well as opportunities to rejuvenate the Organization;

4. *Emphasizes* the need for strategic workforce planning to proactively support the human resources needs of the United Nations, and in this regard urges the Secretary-General to pursue efforts in this area as a matter of priority;

5. *Urges* the Secretary-General to ensure that outreach activities cover positions both at Headquarters and in the field;

6. *Recognizes* the importance of speeding up the recruitment and staffing process, in accordance with Article 101, paragraph 3, of the Charter, which will ensure that staff are diverse, multi-skilled and versatile;

7. *Acknowledges* the need to simplify the current reference check for speeding up the recruitment process, and requests the Secretary-General to review the procedure and take necessary actions as soon as possible;

8. *Decides* that, in order to ensure the transparency of the recruitment process, all specific vacancy announcements shall continue to be advertised;

9. *Requests* the Secretary-General to continue to ensure equal treatment of candidates with equivalent educational backgrounds during the recruitment process, taking fully into account that Member States have different educational systems and that no education system shall be considered the standard to be applied to the Organization;

10. *Invites* the Secretary-General, when appointing officials at the D-1 and D-2 levels in departments of the Secretariat that provide backstopping and/or policy guidance to field missions, to fully consider the relevant field experience of the candidates, as one of the highly desirable appointment criteria;

11. *Underlines* that the upgraded electronic staff selection system of the United Nations must be clear, simplified, user-friendly and accessible to potential candidates and that regular monitoring must be in place to ensure transparency and non-discrimination, and requests the Secretary-General to report thereon to the General Assembly at its sixty-fifth session;

12. *Recognizes* that pre-screened rosters can considerably expedite the recruitment process in the United Nations;

13. *Notes* that the existing rosters for Headquarters and established duty stations under the current staff selection system have design flaws and have not been utilized widely to fill vacancies;

14. *Acknowledges* the necessity of ensuring transparency and accountability with respect to recruitment of general temporary assistance and consultants;

15. *Reaffirms* section II, paragraph 6, of its resolution 61/244, in which it decided to retain the criterion of geographical status in the staff selection system as one of the key elements to ensure geographical balance at each level for posts subject to geographical distribution;

16. *Requests* the Secretary-General to ensure that all anticipated and immediate vacancies are properly advertised and filled quickly, and to report on the success of this endeavour to the General Assembly at its sixty-fifth session;

17. *Emphasizes* the importance of the participation of staff representatives in the work of the central review bodies, and requests the Secretary-General and invites staff representatives to engage in a consultative process with a view to resuming the participation of staff representatives in the work of the central review bodies;

18. *Requests* the Secretary-General to include analysis of the implementation of the human resources action plans in the context of the report on the composition of the Secretariat;

19. *Recognizes* the added value that a redesign panel could bring to the reform of the recruitment and staffing processes;

20. *Decides* to revert to the issue of establishing a redesign panel for this purpose at its sixty-fifth session;

IV

National competitive examinations

1. *Reaffirms* that national competitive examinations are the source of recruitment for P-2 posts subject to geographical distribution in order to reduce non-representation and underrepresentation of Member States in the Secretariat;

2. *Requests* the Secretary-General to submit to the General Assembly, for consideration at its sixty-fifth session, a feasibility study, building on audit reports, to determine whether the broadening of the scope of the national competitive examination would serve to further strengthen the capacity of the Organization for programme delivery, as recommended by the Advisory Committee on Administrative and Budgetary Questions in its report;[42]

3. *Notes with concern* that a large number of candidates who have passed national competitive examinations remain on the roster for years;

4. *Requests* the Secretary-General to ensure the expeditious placement of successful candidates from national competitive examinations;

5. *Welcomes* the enhanced efforts of the Secretary-General to centrally manage the placement of successful candidates from national competitive examinations, and requests him to intensify these efforts and to report thereon to the General Assembly at its sixty-fifth session;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the recommendations of the Joint Inspection Unit aimed at reducing the length of the national competitive recruitment examination process and improving the national competitive recruitment examination roster management, as well as setting time frames for completion of the process;

7. *Also requests* the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to further cooperate within the framework of the Human Resources Network, making better use of national competitive recruitment examinations and existing rosters, and improving inter-agency mobility;

8. *Recognizes* the importance of the Secretary-General providing career development opportunities and support, including enhancing mobility for all staff, including those recruited from national competitive examinations;

V

Accountability

1. *Recalls* its resolution 61/244 and all other relevant resolutions on human resources management, including geographical distribution and gender representation in posts,

and stresses the accountability of the Secretary-General for implementation and the concrete results obtained for these important principles and mandates;

2. *Emphasizes* that robust and proactive monitoring is essential at all levels, and requests the Secretary-General to ensure that the Office of Human Resources Management continues to strengthen its monitoring of delegated authority for human resources management, including compliance with geographical and gender targets and the prompt filling of vacancies;

3. *Notes* that the senior managers' compacts are meant to improve the management of the Organization, inter alia, by increasing accountability and transparency at the senior level, and in this regard urges the Secretary-General to implement measures that adequately address the performance of senior managers, especially with regard to achieving goals and targets;

VI

Performance appraisal system

1. *Emphasizes* that a credible, fair and fully functioning performance appraisal system is critical to effective human resources management policies;

2. *Expresses concern* over the lack of credibility and effectiveness of the current performance appraisal system, and stresses the need for it to accurately reflect the full range of performance, in order to be able to reward staff for excellent performance and impose sanctions for underperformance and to strengthen the link between performance and career progression, in particular for those staff members in managerial positions;

3. *Notes* the intention of the Secretary-General to begin utilizing 360-degree performance appraisals, and requests the Secretary-General to report to the General Assembly at its sixty-fifth session on how this can be further implemented;

4. *Requests* the Secretary-General to review the current performance appraisal system in consultation with staff through the appropriate channels, and to report thereon to the General Assembly at its sixty-fifth session;

VII

Mobility

1. *Reaffirms* section VIII of its resolution 59/266;

2. *Stresses* that the purpose of enhancing mobility is to improve the effectiveness of the Organization and to foster the skills and capacity of staff;

3. *Decides* to review the regulations and rules of the Organization relating to the exercise by the Secretary-General of his authority to assign and deploy staff according to the operational needs of the Organization, and requests him to submit proposals in this regard to the General Assembly at its sixty-fifth session;

4. *Regrets* that the Secretary-General's mobility policies failed to achieve their intended purposes;

5. *Notes* the intention of the Secretary-General as set out in his report[43] to suspend the managed mobility programmes upon completion of the D-1/D-2 exercise, in order for a review to be undertaken, including on the maximum period of occupancy of post and lessons learned, with a view to developing proposals on the mobility policy, taking into account recommendations of the Task Force on Human Resources Management, in consultation with all relevant stakeholders, including staff associations, and requests him to report thereon to the General Assembly at its sixty-fifth session in the context of his report on human resources management, with an analysis of cost and benefits, bearing in mind paragraph 46 of the report of the Advisory Committee on Administrative and Budgetary Questions;[42]

6. *Requests* the Secretary-General to submit proposals aimed at encouraging voluntary mobility of staff in the context of the review of the mobility policy, without prejudice to the different needs of duty stations and the field;

7. *Emphasizes* that the scope of the mobility policy should be well defined;

VIII

Career development and support

1. *Requests* the Secretary-General, in complying with paragraph 17 of the report of the Advisory Committee on Administrative and Budgetary Questions,[42] to make all possible efforts within existing resources;

2. *Reaffirms* the importance of defining the target and strategy of training and career development;

3. *Requests* the Secretary-General to make full use of the grade structure and to submit a concrete proposal to the General Assembly at the sixty-fifth session on how and where P-1 positions might be used more effectively;

4. *Also requests* the Secretary-General to submit proposals on a strategy to implement an efficient and effective training and professional development programme in the context of the budget submission for the biennium 2010–2011;

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[43] A/63/208.

5. *Further requests* the Secretary-General to ensure that each vacancy announcement identifies accurately the skills, education and experience required for the position;

6. *Recognizes* the core role played by programme managers in career development and support, and requests the Secretary-General to strengthen the evaluation of their managerial skills and their performance in fostering staff career development;

IX

Measures to improve equitable geographical representation/composition of the Secretariat

1. *Recalls* its resolution 42/220 A of 21 December 1987, by which it introduced the current system of desirable ranges;

2. *Requests* the Secretary-General to continue his ongoing efforts to attain equitable geographical distribution in the Secretariat and to ensure as wide a geographical distribution of staff as possible in all departments, offices and levels, including the Director level and higher levels, of the Secretariat;

3. *Recalls* section X, paragraph 12, of its resolution 61/244, and expresses concern over the increase that has taken place in the number of unrepresented and underrepresented Member States since 2006;

4. *Regrets* the current insufficient accountability of heads of departments in achieving equitable geographical distribution in the Secretariat;

5. *Welcomes* the continuing efforts of the Secretary-General to improve the situation of unrepresented and underrepresented Member States and of those which might become underrepresented under the system of desirable ranges;

6. *Notes* the analysis of the level of underrepresentation in the reports of the Secretary-General on the composition of the Secretariat;[44]

7. *Reiterates its request* to the Secretary-General to take all necessary measures to ensure, at the senior and policymaking levels of the Secretariat, equitable representation of Member States, especially those with inadequate representation at those levels, and to continue to include relevant information thereon in all future reports on the composition of the Secretariat;

8. *Reiterates its requests* to the Secretary-General to present proposals to effectively increase the representation of developing countries in the Secretariat, and to report thereon to the General Assembly at its sixty-fifth session;

9. *Welcomes* the efforts of the Secretary-General to set specific targets throughout the Organization in order to increase recruitment from unrepresented and underrepresented Member States;

10. *Considers* that encouragement of recruitment from unrepresented and underrepresented Member States as well as gender balance targets shall not disallow other qualified candidates from competing;

11. *Reiterates its request* to the Secretary-General to ensure, through the Management Performance Board, the monitoring of the implementation of human resources action plans, including the principle of equitable geographical distribution in the Secretariat at all levels, as set out in relevant General Assembly resolutions, and the verification of the effective application of measures of transparency and accountability, including in the selection, recruitment and placement processes;

12. *Reiterates its request* as contained in section X, paragraph 8, of its resolution 61/244;

13. *Recalls* paragraph 22 of its resolution 62/250 of 20 June 2008, and requests the Secretary-General to ensure the proper representation of troop-contributing countries in the Department of Peacekeeping Operations and the Department of Field Support, of the Secretariat, taking into account their contribution to United Nations peacekeeping;

14. *Re-emphasizes* that the system of geographical ranges was designed to apply to countries rather than to regions or groups;

15. *Recalls its request* to the Secretary-General to reduce, to the extent possible, the number of unrepresented and underrepresented Member States in the Secretariat by 30 per cent by 2010, compared to the level in 2006, and requests him to report to the General Assembly thereon, as appropriate, in the context of his report on human resources management;

16. *Reaffirms* that the system of desirable ranges is the mechanism for recruitment of staff to posts subject to geographical distribution, in accordance with Article 101, paragraph 3, of the Charter;

17. *Recognizes* that considerable change has taken place in the composition and the number of staff of the global United Nations Secretariat in the past two decades, recalls the reports of the Secretary-General,[45] and requests him to submit to the General-Assembly, at its sixty-fifth session, proposals for a comprehensive review of the system of desirable ranges, with a view to establishing a more effective tool to ensure equitable

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[44] A/62/315 and A/63/310 and Add.1–3.

[45] A/58/767 and A/59/724.

geographical distribution in relation to the total number of staff of the global United Nations Secretariat;

18. *Requests* the Secretary-General to gradually incorporate within his report on the composition of the Secretariat the overall number of staff, regardless of sources of funding, on contracts of one year or more;

19. *Reiterates its request* as contained in section X, paragraph 15, of its resolution 61/244, and recalls section II, paragraph 2, of its resolution 42/220 A;

X

Gender representation

1. *Reaffirms* the goal of 50/50 gender distribution in all categories of posts within the United Nations system, especially at senior and policymaking levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101 of the Charter, and regrets that progress towards attaining this goal has been slow;

2. *Expresses concern* at the continuing low proportion of women in the Secretariat, in particular the low proportion of women from developing countries, especially at the senior levels, and stresses that, in the recruitment process, the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, should be taken into account and that those women should be accorded equal opportunities, in full conformity with relevant resolutions;

3. *Notes with concern* that, in posts subject to the system of desirable ranges, only 33 women from developing countries were recruited between 1 July 2007 and 30 June 2008 among the 96 women appointed during that period;

4. *Requests* the Secretary-General to increase his efforts to attain and monitor the goal of gender parity in the Secretariat, in particular at senior levels, and in this context to ensure that women, especially those from developing countries and countries with economies in transition, are appropriately represented within the Secretariat, and to report thereon to the General Assembly at its sixty-fifth session;

5. *Notes* the renewed effort the Secretary-General has made towards attaining this goal, particularly the decision to design and implement a forward-looking strategy under the leadership of the Deputy Secretary-General, and encourages him to further strengthen these efforts;

6. *Requests* the Secretary-General, in the context of attaining this goal, to develop and implement recruitment targets, time frames for meeting those targets and accountability measures;

7. *Encourages* Member States to support the efforts of the Secretary-General by identifying more women candidates and encouraging them to apply for appointment to positions in the Secretariat and by creating awareness among their nationals, in particular women, of vacancies in the Secretariat;

XI

Consultants, individual contractors, gratis personnel and employment of retired staff

1. *Requests* the Secretary-General to adhere to existing guidelines on the selection and recruitment of consultants and individual contractors;

2. *Expresses concern* over the increase in the use of consultants, especially in the core activities of the Organization, stresses that the use of consultants should be governed by the relevant resolutions of the General Assembly, in particular resolution 53/221, section VIII, and that they should drawn from the widest possible geographical basis, and requests the Secretary-General to make the greatest possible use of in-house capacity and to report to the Assembly at its sixty-fifth session on the measures taken to that effect;

3. *Reiterates its concern* that the continuous trend of hiring staff retirees for extended periods of time increased in the last biennium;

4. *Reiterates* that employment of retirees in decision-making positions should occur only in exceptional circumstances;

5. *Requests* the Secretary-General to include, in future reports on the employment of retirees, analysis on reasons for patterns and trends that emerge from data presented;

XII

Report of the Ethics Office

1. *Notes with appreciation* the contributions of the Ethics Office to promoting integrity within the Organization;

2. *Welcomes* the establishment of the United Nations Ethics Committee;

3. *Requests* the Secretary-General to clarify the roles of the Ethics Office, the Office of the Ombudsman, the Office of Internal Oversight Services and other related offices, and to report the findings, as well as the measures taken to avoid overlapping of mandates, to the General Assembly at its sixty-fifth session;

4. *Also requests* the Secretary-General to discuss with the executive heads of the specialized agencies, funds and programmes, within the framework of the United Nations System Chief Executives Board for Coordination, areas of possible cooperation and cost savings on ethics-related matters;

5. *Further requests* the Secretary-General to include in his report on the activities of the Ethics Office, information on the activities of the Ethics Committee, including a review of any complex ethics issues dealt with by the Committee, if deemed relevant;

XIII

Other matters

1. *Notes with concern* that many disciplinary cases have not been completed in a reasonable time, and requests the Secretary-General to include in his annual report information on measures taken to increase the number of cases closed;

2. *Invites* the Sixth Committee to consider the legal aspects of the report of the Secretary-General entitled "Implementation of the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission"[46] without prejudice to the role of the Fifth Committee as the Main Committee of the General Assembly responsible for administrative and budgetary matters;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the human resources management information technology system;

4. *Also requests* the Secretary-General to strengthen programmes to promote health in hardship posts, including through psychological support and disease awareness, with a view to promoting productivity and a better work environment;

5. *Takes note* of the report of the Secretary-General on measures to address the imbalance in the geographical distribution of the staff in the Office of the United Nations High Commissioner for Human Rights;[47]

6. *Also takes note* of the amendments to the Staff Rules as contained in the annex to the above-mentioned report.[47]

RESOLUTION 63/251

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/640, para. 7)

63/251. United Nations common system: report of the International Civil Service Commission

The General Assembly,

Recalling its resolutions 44/198 of 21 December 1989, 51/216 of 18 December 1996, 52/216 of 22 December 1997, 53/209 of 18 December 1998, 55/223 of 23 December 2000, 56/244 of 24 December 2001, 57/285 of 20 December 2002, 58/251 of 23 December 2003, 59/268 of 23 December 2004, 61/239 of 22 December 2006 and 62/227 and 62/238 of 22 December 2007,

Having considered the report of the International Civil Service Commission for the year 2008,[48]

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Reaffirming the statute of the Commission[49] and the central role of the Commission and the General Assembly in the regulation and coordination of the conditions of service of the United Nations common system,

1. *Takes note with appreciation* of the work of the International Civil Service Commission;

2. *Takes note* of the report of the Commission for the year 2008;[48]

3. *Reiterates its invitation* to the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to urge the heads of the organizations of the United Nations common system to fully support the work of the Commission, in conformity with its statute,[49] by providing it with relevant information in a timely manner for studies that it conducts under its statutory responsibilities for the common system, as well as by other possible means;

4. *Encourages* the Commission to continue to coordinate and regulate the conditions of service of staff of the organizations of the common system, bearing in mind the limitations imposed by Member States on their national civil services;

5. *Recalls* article 28 of the statute of the Commission;[49]

A. Conditions of service for both categories of staff

1. Education grant

1. *Approves*, with effect from the school year in progress on 1 January 2009, the recommendations of the Commission in paragraph 62 of its report[48] and annex II thereto;

2. *Requests* the Commission to report on the methodological review of the education grant to the General Assembly at its sixty-fifth session;

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[46] A/61/1029.

[47] A/61/823.

[48] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 30* (A/63/30).

[49] Resolution 3357 (XXIX), annex.

2. Performance management

1. *Reiterates* the importance of developing mechanisms for better differentiating levels of performance;

2. *Requests* the Commission to work closely with organizations to identify workable means of rewarding performance;

3. *Welcomes* the work of the Commission in benchmarking innovative practices in the area of performance management, and encourages the Commission to keep performance management under review;

4. *Requests* the Commission to submit an updated performance management framework to the General Assembly;

B. Conditions of service of staff in the Professional and higher categories

1. Evolution of the margin

Recalling section I.B of its resolution 51/216 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C. (referred to as "the margin"),

1. *Notes* that the margin between net remuneration of United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service in Washington, D.C., for the period from 1 January to 31 December 2008 is estimated at 114.7 and that the average margin level for the past five years (2004–2008) stands at 112.9;

2. *Reaffirms* that the range of 110 to 120 for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and officials in comparable positions in the comparator civil service should continue to apply, on the understanding that the margin would be maintained at a level around the desirable midpoint of 115 over a period of time;

2. Base/floor salary scale

Recalling its resolution 44/198, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service,

Approves, with effect from 1 January 2009, as recommended by the Commission in paragraph 79 of its report,[48] the revised base/floor scale of gross and net salaries for staff in the Professional and higher categories contained in annex IV to the report;

3. Children's and secondary dependant's allowances

Approves, with effect from 1 January 2009, as recommended by the Commission in paragraph 129 of its report,[48] the revised flat-rate allowance and the transitional measure thereto;

4. Mobility/hardship

1. *Recognizes* the hardship conditions under which staff members are often required to perform their official duties, and the personal disruption that operationally required mobility may impose on staff;

2. *Approves*, with effect from 1 January 2009, as recommended by the Commission in paragraph 94 of its report,[48] the revised level of the hardship, mobility and non-removal allowances;

3. *Welcomes* the intent of the Commission to review whether the mobility/hardship continues to fulfil the purposes for which it was established;

4. *Encourages* the Commission to further refine the mobility/hardship scheme in order to foster, in particular, the achievement of organizational objectives;

5. *Requests* the Commission to report on the outcome of its planned review of the mobility/hardship scheme to the General Assembly at its sixty-fifth session;

5. Gender balance/geographical balance

1. *Notes with disappointment* the insufficient progress made with regard to the representation of women in the organizations of the United Nations common system, and in particular their significant underrepresentation at senior levels;

2. *Notes* the decisions of the Commission contained in paragraph 109 of its report;[48]

3. *Invites* the Commission to continue to monitor future progress in achieving gender balance, including the aspect of regional representation if it deems it appropriate, and to make recommendations on practical steps that should be taken to improve the representation of women in the organizations of the United Nations common system;

C. Conditions of service of staff in the General Service and other locally recruited categories

Review of the methodology for surveys of best prevailing conditions of employment at headquarters and non-headquarters duty stations

Notes paragraph 148 of the report of the Commission,[48] and requests the Commission to report on the methodological review to the General Assembly at its sixty-fourth session;

D. Conditions of service in the field

1. Effectiveness and impact of recruitment and retention measures at difficult duty stations

1. *Welcomes* the decision of the Commission to undertake a global staff survey to complement the findings of its studies;

2. *Invites* the Commission to conduct similar staff surveys periodically in support of its work, as well as any follow-up surveys;

3. *Requests* the Commission to continue its consideration of issues related to recruitment and retention and to report thereon as appropriate;

2. Hazard pay for internationally recruited staff

Expresses its appreciation for staff who live and work under hazardous conditions in the service of the United Nations;

E. Strengthening of the international civil service

Reaffirming that the staff is an invaluable asset of the Organization, and commending its contribution to furthering the purposes and principles of the United Nations,

1. *Emphasizes* that the capacity of the Commission as a source of technical expertise and policy advice should be further strengthened;

2. *Stresses* that the work of the Commission shall be given the importance and attention it deserves by the governing bodies of the organizations of the common system;

3. *Requests* the Commission to closely monitor the developments in the organizations of the United Nations common system in order to ensure the effective regulation and coordination of the conditions of service in the common system;

4. *Notes* the decision of the Commission to keep the Senior Management Network programme under review, and, bearing in mind paragraph 178 of its report,[48] requests the Commission to monitor the envisaged redesigning of the programme and to report thereon to the General Assembly at its sixty-fourth session.

RESOLUTION 63/252

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/641, para. 8)

63/252. United Nations pension system

The General Assembly,

Recalling its resolutions 55/224 of 23 December 2000, 57/286 of 20 December 2002, 59/269 of 23 December 2004, 61/240 of 22 December 2006 and 62/241 of 22 December 2007,

Having considered the report of the United Nations Joint Staff Pension Board for 2008 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund,[50] including the financial statements of the Fund for the biennium ended 31 December 2007, the audit opinion and report of the Board of Auditors thereon, the information provided on the internal audits of the Fund and the observations of the Pension Board, the reports of the Secretary-General on the investments of the Fund and steps and efforts undertaken to increase the diversification[51] and on the administrative and financial implications arising from the report of the Pension Board[52] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[53]

1. *Takes note* of the report of the United Nations Joint Staff Pension Board,[50] and in particular the action taken by the Board as set out in chapter II.B of the report;

2. *Notes* that the report of the Board of Auditors on the accounts of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2007 indicated that the financial statements presented fairly, in all material respects, the financial position of the Fund and that the transactions tested as part of the audit were, in all significant respects, in accordance with the Regulations and Rules of the Fund and legislative authority;[54]

3. *Endorses* the recommendations of the Advisory Committee on Administrative and Budgetary Questions,[53] subject to the provisions of the present resolution;

I

Administrative arrangements, revised budget and longer-term objectives of the United Nations Joint Staff Pension Fund

4. *Takes note* of the information set out in paragraphs 180 to 197 of the report of the United Nations Joint Staff Pension Board[50] on the revised budget estimates for the biennium 2008–2009;

5. *Approves* the increase of 2,204,000 United States dollars in total additional resources for the biennium 2008–2009, noting that the revised estimates for the biennium would amount to a total appropriation of 153,199,100 dollars;

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[50] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 9* (A/63/9).

[51] A/C.5/63/2.

[52] A/63/363.

[53] A/63/556.

[54] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 9* (A/63/9), annex VIII.

II

Benefit provisions

6. *Endorses* the decision taken by the United Nations Joint Staff Pension Board in 2007, in which it reaffirmed its earlier decision maintaining that the United Nations Joint Staff Pension Fund should determine entitlements to pension benefits, in particular under articles 34 and 35 of the Regulations of the Fund, which cover spousal benefits, in accordance with the personal status of a participant as recognized and reported to the Fund by the participant's employing organization, on the understanding that the final verification that the personal status has remained the same will be done by the Fund at the time of granting such pension benefits;

7. *Approves* the changes in the benefit provisions that would streamline the application of the relevant provisions governing family members or former family members under articles 35 bis, 35 ter and 36, as set out in annex XIV to the report of the Board;[50]

8. *Also approves* the amendment to article 24 (*b*) of the Regulations of the Fund, as set out in annex XIV to the report of the Board, which would allow participants who return to active contributory service after a period of disability to count such periods of disability as contributory service without requiring the participant to pay contributions for that period;

9. *Further approves* the agreement of the Board to clarify that the scope of the revision in 2006 of article 24, concerning the elimination of the limitation on the right to restoration based on years of prior service, did not cover only those participants who had received a withdrawal settlement, but also those who had elected a deferred retirement benefit (full or partial) as long as no periodic benefit payments of their deferred benefit had been made, as set out in paragraphs 329 and 330 of the report of the Board, and as clarified in the technical amendments to the Regulations of the Fund, set out in annex XIV to the report of the Board;

III

Other matters

10. *Welcomes* the information that all the committees of the United Nations Joint Staff Pension Fund had been presented and the United Nations Joint Staff Pension Board had approved a declaration of conflict of interest, which referred to the mandate and the focus of each committee and covered the status, conduct and accountability of the members of the Investments Committee, the Committee of Actuaries and the Audit Committee;

11. *Decides*, upon the affirmative recommendation of the Board, that the Special Tribunal for Lebanon shall be admitted as a new member organization of the Fund, effective 1 January 2009;

12. *Emphasizes* that the United Nations and other member organizations of the Fund should ensure the timely and accurate processing of documentation, including, inter alia, a certification that all suitable arrangements are in place to ensure that all debts to such organizations are paid in full, as required by the Fund for the payment of benefits;

13. *Takes note* of the information provided by the Fund on the status of the ongoing implementation of resolution 62/241 regarding the one-time, ex gratia, exceptional payment to retirees residing in Ecuador;

IV

Investments of the United Nations Joint Staff Pension Fund

14. *Takes note* of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund and steps and efforts undertaken to increase the diversification[51] and the observations of the United Nations Joint Staff Pension Board, as set out in its report;[50]

15. *Approves* the inclusion of contractual settlement provisions in the agreement with the Global Custodian of the Fund, under the strict terms and conditions and for the purposes recommended by the Representative of the Secretary-General and the Board, and upon legal terms and conditions in such agreement that maximize the protection of the legal interests of the Fund;

16. *Welcomes* the continued effort of the Secretary-General, as fiduciary for the investment of the assets of the Fund, to diversify its investments between developed markets and emerging markets, and requests the Secretary-General to ensure that, under the current volatile market conditions, decisions concerning the investments of the Fund in any country should be implemented very cautiously, fully taking into account the four main criteria for investment, namely, safety, profitability, liquidity and convertibility.

RESOLUTION 63/253

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/642, para. 6)

63/253. Administration of justice at the United Nations

The General Assembly,

Recalling its resolutions 57/307 of 15 April 2003, 59/266 of 23 December 2004, 59/283 of 13 April 2005, 61/261 of 4 April 2007 and 62/228 of 22 December 2007, and its decisions 62/519 of 6 December 2007 and 63/531 of 11 December 2008,

Reaffirming the decision in paragraph 4 of its resolution 61/261 to establish a new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike,

Having considered the reports of the Secretary-General on the administration of justice at the United Nations,[55] on the activities of the Office of the Ombudsman[56] and on the administration of justice in the Secretariat, including the outcome of the work of the Joint Appeals Board during 2006 and 2007 and statistics on the disposition of cases and work of the Panel of Counsel,[57] the note by the Secretary-General on the administration of justice, including further information requested by the General Assembly,[58] the letter dated 29 April 2008 from the President of the General Assembly addressed to the Chairman of the Fifth Committee,[59] the letter dated 27 October 2008 from the President of the General Assembly addressed to the Chairman of the Fifth Committee[60] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[61]

1. *Takes note* of the reports of the Secretary-General on the administration of justice at the United Nations,[55] on the activities of the Office of the Ombudsman[56] and on the administration of justice in the Secretariat, including the outcome of the work of the Joint Appeals Board during 2006 and 2007 and statistics on the disposition of cases and work of the Panel of Counsel,[57] the note by the Secretary-General on the administration of justice, including further information requested by the General Assembly,[58] the letter dated 29 April 2008 from the President of the General Assembly addressed to the Chairman of the Fifth Committee,[59] and the letter dated 27 October 2008 from the President of the General Assembly addressed to the Chairman of the Fifth Committee;[60]

2. *Reaffirms* its resolutions 61/261 and 62/228 on the establishment of the new system of administration of justice;

3. *Expresses its appreciation* to staff members of the United Nations system who have participated in the system of administration of justice, including the joint disciplinary committees and the joint appeals boards;

4. *Also expresses its appreciation* to the former and present members and staff of the United Nations Administrative Tribunal for their work;

5. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[61] subject to the provisions of the present resolution;

I

New system of administration of justice

6. *Regrets* the delays in the filling of posts established by the General Assembly in its resolution 62/228, and requests the Secretary-General to fill the posts as a matter of priority, in particular the post of the Executive Director of the Office of Administration of Justice;

7. *Decides* that interns, type II gratis personnel and volunteers (other than United Nations Volunteers) shall have the possibility of requesting an appropriate management evaluation but shall not have access to the United Nations Dispute Tribunal or to the United Nations Appeals Tribunal;

8. *Recalls* paragraphs 7 and 9 of its resolution 62/228, and its decision 63/531, by which the Ad Hoc Committee on the Administration of Justice at the United Nations would continue its work, and decides to revert to the issue of the scope of the system of administration of justice at its sixty-fifth session, with a view to ensuring that effective remedies are available to all categories of United Nations personnel, with due consideration given to the types of recourse that are the most appropriate to that end;

9. *Commends* the role that volunteers have traditionally played in representing employees in the dispute resolution process under the existing system;

10. *Notes* that some current and former United Nations staff have been reluctant to represent their fellow staff members in the dispute resolution process because of the burden that such service would place on them;

11. *Requests* the Secretary-General to provide incentives to encourage current and former staff to assist staff members in the dispute resolution process;

12. *Decides* that the role of professional legal staff in the Office of Staff Legal Assistance shall be to assist staff members and their volunteer representatives in processing claims through the formal system of administration of justice;

13. *Recalls* paragraph 13 of its resolution 62/228, in which it decided to establish the Office of Staff Legal Assistance to succeed the Panel of Counsel, and decides to revert to the mandate and functioning of that Office, including the participation of current and former staff as volunteers, at its sixty-fifth session;

14. *Reiterates* paragraph 24 of its resolution 61/261, and requests the Secretary-General to report to the General Assembly at its sixty-fifth session on proposals for a staff-

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[55] A/62/782 and A/63/314.

[56] A/63/283.

[57] A/63/211.

[58] A/62/748 and Corr.1.

[59] A/C.5/62/27.

[60] A/C.5/63/9.

[61] A/62/7/Add.39 (for the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*) and A/63/545.

funded scheme in the Organization that would provide legal assistance and support to staff;

15. *Decides* to revert to the issue of the possibility of staff associations filing applications before the Dispute Tribunal at its sixty-fifth session;

16. *Recalls* paragraph 55 of the report of the Secretary-General,[62] and requests the Secretary-General to work with staff associations to develop incentives to enable and encourage staff to continue to participate in the work of the Office of Staff Legal Assistance, including by providing volunteer professional legal counsel;

II

Informal system

17. *Welcomes* the steps taken by the Office of the Ombudsman towards the implementation of the new informal system as set out in resolution 62/228;

18. *Reaffirms* that the informal resolution of conflict is a crucial element of the system of administration of justice, and emphasizes that all possible use should be made of the informal system in order to avoid unnecessary litigation;

19. *Decides* that all persons who have access to the Office of the Ombudsman under the current system shall also have access to the new informal system;

20. *Requests* the Secretary-General to consider and make proposals at its sixty-fifth session for providing incentives for employees seeking dispute resolution to submit disputes to mediation under the auspices of the Office of the Ombudsman;

21. *Recalls its request* to the Secretary-General, contained in paragraph 67 (*a*) of its resolution 62/228, to report to it on the revised terms of reference for the Office of the Ombudsman, and requests the Secretary-General to ensure that the terms of reference and guidelines for the Mediation Division are promulgated as soon as possible;

22. *Requests* the Secretary-General to take advantage of existing mechanisms for conflict resolution and mediation, as deemed useful and appropriate, in order to facilitate a renewed dialogue between staff and management;

23. *Welcomes* the intention of the Secretary-General to issue a joint report in 2009 for the entities covered by the integrated Office of the Ombudsman, taking into consideration the different legislative bodies that will receive the report;

24. *Notes* section V, on systemic issues, of the report of the Secretary-General on the activities of the Office of the Ombudsman,[56] and emphasizes that the role of the Ombudsman is to report on broad systemic issues that he or she identifies, as well as issues that are brought to his or her attention, in order to promote greater harmony in the workplace;

25. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on specific measures taken to address systemic issues in the context of human resources management;

III

Formal system

26. *Decides* to adopt the statutes of the United Nations Dispute Tribunal and of the United Nations Appeals Tribunal, as set out in annexes I and II to the present resolution;

27. *Also decides* that the United Nations Dispute Tribunal and the United Nations Appeals Tribunal shall be operational as of 1 July 2009;

28. *Affirms* that the United Nations Dispute Tribunal and the United Nations Appeals Tribunal shall not have any powers beyond those conferred under their respective statutes;

29. *Notes* article 7, paragraph 1, of the statute of the United Nations Dispute Tribunal and article 6, paragraph 1 of the statute of the United Nations Appeals Tribunal, requests the Secretary-General to submit, for approval, the rules of procedure of the Tribunals as soon as possible but no later than at its sixty-fourth session, and decides that until then the Tribunals may apply the rules of procedure on a provisional basis;

30. *Approves* the proposed conditions of service of the judges of the United Nations Dispute Tribunal and United Nations Appeals Tribunal, as set out in the report of the Secretary-General;[62]

31. *Decides* that the conditions of service referred to in paragraph 30 above shall be treated separately from the conditions of service of other judicial appointments in the United Nations system;

32. *Also decides* to carry out, at its sixty-fifth session, a review of the statutes of the Tribunals, in the light of experience gained, including on the efficiency of the overall functioning of the Tribunals, in particular regarding the number of judges and the panels of the United Nations Dispute Tribunal;

33. *Recalls* paragraph 49 of its resolution 62/228, and requests the Secretary-General to submit to the General Assembly at its sixty-fifth session a new detailed proposal, including a variety of options for delegation of authority for disciplinary measures, with full costing and a cost-benefit

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[62] A/63/314.

analysis, taking into account the recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[63]

34. *Also recalls* paragraph 23 of the report of the Advisory Committee on Administrative and Budgetary Questions,[63] and requests the Secretary-General to further clarify the role of the Department of Management of the Secretariat in the evaluation process, in order to ensure the appropriate independence of the Management Evaluation Unit, and to report thereon to the General Assembly at its sixty-fifth session;

IV

Transitional measures

35. *Requests* the Secretary-General to ensure that the current formal system of administration of justice continues to function, as appropriate, until the completion of the transition to the new system;

36. *Recalls* paragraph 57 of its resolution 62/228, and in that context urges the Secretary-General to take the measures necessary to reduce the existing backlog;

37. *Notes* the refusal of some staff associations to participate in the joint appeals boards and the joint disciplinary committees, and authorizes the Secretary-General to obtain the assistance of other staff associations, including staff associations of the funds and programmes and at the various duty stations, in identifying staff members willing to serve on the joint appeals boards and/or joint disciplinary committees, in order to ensure that the current system continues to operate in an effective and timely manner;

38. *Decides* to abolish, as of 1 July 2009, the joint appeals boards, the joint disciplinary committees and the disciplinary committees of the separately administered funds and programmes;

39. *Also decides* that the terms of the members of the United Nations Administrative Tribunal that expire on 31 December 2008 shall be extended to 31 December 2009;

40. *Authorizes* honorariums for the members of the United Nations Administrative Tribunal as of 1 January 2009, in the amount of 1,500 United States dollars per case (1,000 dollars for the drafter and 250 dollars each for the other two signatories);

41. *Acknowledges* the need to clear the existing backlog of cases as soon as possible, requests the Secretary-General to coordinate with the United Nations Administrative Tribunal in order to hold Administrative Tribunal sessions in 2009 earlier than scheduled, and authorizes extension of the sessions by up to four weeks;

42. *Decides* that the United Nations Administrative Tribunal shall cease to accept new cases as of 1 July 2009;

43. *Also decides* to abolish the United Nations Administrative Tribunal as of 31 December 2009;

44. *Further decides* that all cases pending before the joint appeals boards, the joint disciplinary committees and the disciplinary committees shall be transferred, as from the abolishment of those bodies, to the United Nations Dispute Tribunal;

45. *Decides* that all cases from the United Nations and the separately administered funds and programmes pending before the United Nations Administrative Tribunal shall be transferred to the United Nations Dispute Tribunal, as from the abolishment of the United Nations Administrative Tribunal;

46. *Also decides* that pending cases from the United Nations Joint Staff Pension Fund and from organizations that have concluded a special agreement with the Secretary-General, according to article 2, paragraph 10, of the statute of the United Nations Appeals Tribunal, or article 2, paragraph 5, of the statute of the United Nations Dispute Tribunal, shall be transferred to the Appeals Tribunal or the Dispute Tribunal, as appropriate, as from the abolishment of the United Nations Administrative Tribunal;

47. *Invites* the United Nations Administrative Tribunal to consider cases from organizations that have concluded a special agreement under article 14 of the its statute as a matter of priority, with a view to concluding those cases before its abolishment;

48. *Decides* that three ad litem judges shall be appointed by the General Assembly to the United Nations Dispute Tribunal;

49. *Stresses* that the three ad litem judges appointed to the United Nations Dispute Tribunal shall have all the powers conferred on the permanent judges of the Dispute Tribunal and shall be appointed only for a period of one year as of 1 July 2009;

50. *Requests* the Secretary-General to ensure that all entities that utilize the United Nations Administrative Tribunal pursuant to article 14 of its statute are notified that it will cease to accept new cases as of 1 July 2009, and that if those entities (with the exception of the United Nations Joint Staff Pension Fund) wish to continue to participate in the internal justice system of the Organization they will need to negotiate new special agreements;

51. *Invites* the United Nations Joint Staff Pension Board to consider the new system of administration of justice as approved by the General Assembly;

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[63] A/63/545.

V

Financial implications and cost-sharing arrangements

52. *Recalls* paragraphs 62 and 63 of its resolution 62/228, and requests the Secretary-General to conclude cost-sharing arrangements, based on headcount, with the relevant funds and programmes by 30 June 2009 and to report thereon;

53. *Requests* the Secretary-General to make every effort to meet any additional requirements relating to the decisions in section IV above within the existing appropriation and to report on the actual costs in the context of the second performance report on the programme budget for the biennium 2008–2009;

VI

Other issues

54. *Recalls* paragraph 14 of its resolution 59/283, and requests the Secretary-General, in accordance with existing rules and regulations, to pursue the financial liability of managers when the situation justifies such action;

55. *Also recalls* paragraph 69 of its resolution 62/228, reiterates its request to the Secretary-General to ensure that information concerning the details of the new system of administration of justice, in particular options for recourse, is readily accessible by all persons covered under the new system, and stresses that the information should clearly explain the roles of the various elements in the new system, as well as the process for bringing complaints;

56. *Reiterates its request* to the Secretary-General to provide the terms of reference of the Registries of the United Nations Dispute Tribunal and of the United Nations Appeals Tribunal as soon as possible;

57. *Decides* that for future appointments the Internal Justice Council shall not recommend more than one candidate from any one Member State for a judgeship on the United Nations Dispute Tribunal, or more than one candidate from any one Member State for a judgeship on the United Nations Appeals Tribunal;

58. *Invites* Member States, when electing judges to the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, to take due consideration of geographical distribution and gender balance;

59. *Requests* the Secretary-General to conduct a review of the new system of administration of justice and to report thereon to the General Assembly at its sixty-fifth session;

60. *Decides* that the sub-item entitled "Appointment of members of the United Nations Administrative Tribunal" of the item entitled "Appointments to fill vacancies in subsidiary organs and other appointments" shall be deleted from its agenda;

61. *Approves* revision of staff regulations 10.1 and 11.1, as proposed in paragraph 80 of the report of the Secretary-General,[62] and decides to abolish staff regulations 10.2 and 11.2, with effect from the implementation of the new system of administration of justice on 1 July 2009.

Annex I

Statute of the United Nations Dispute Tribunal

Article 1

A tribunal is established by the present statute as the first instance of the two-tier formal system of administration of justice, to be known as the United Nations Dispute Tribunal.

Article 2

1. The Dispute Tribunal shall be competent to hear and pass judgement on an application filed by an individual, as provided for in article 3, paragraph 1, of the present statute, against the Secretary-General as the Chief Administrative Officer of the United Nations:

(*a*) To appeal an administrative decision that is alleged to be in non-compliance with the terms of appointment or the contract of employment. The terms "contract" and "terms of appointment" include all pertinent regulations and rules and all relevant administrative issuances in force at the time of alleged non-compliance;

(*b*) To appeal an administrative decision imposing a disciplinary measure;

(*c*) To enforce the implementation of an agreement reached through mediation pursuant to article 8, paragraph 2, of the present statute.

2. The Dispute Tribunal shall be competent to hear and pass judgement on an application filed by an individual requesting the Dispute Tribunal to suspend, during the pendency of the management evaluation, the implementation of a contested administrative decision that is the subject of an ongoing management evaluation, where the decision appears prima facie to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage. The decision of the Dispute Tribunal on such an application shall not be subject to appeal.

3. The Dispute Tribunal shall be competent to permit or deny leave to an application to file a friend-of-the-court brief by a staff association.

4. The Dispute Tribunal shall be competent to permit an individual who is entitled to appeal the same administrative decision under paragraph 1 (*a*) of the present article to intervene

in a matter brought by another staff member under the same paragraph.

5. The Dispute Tribunal shall be competent to hear and pass judgement on an application filed against a specialized agency brought into relationship with the United Nations in accordance with the provisions of Articles 57 and 63 of the Charter of the United Nations or other international organization or entity established by a treaty and participating in the common system of conditions of service, where a special agreement has been concluded between the agency, organization or entity concerned and the Secretary-General of the United Nations to accept the terms of the jurisdiction of the Dispute Tribunal, consonant with the present statute. Such special agreement shall provide that the agency, organization or entity concerned shall be bound by the judgements of the Dispute Tribunal and be responsible for the payment of any compensation awarded by the Dispute Tribunal in respect of its own staff members and shall include, inter alia, provisions concerning its participation in the administrative arrangements for the functioning of the Dispute Tribunal and concerning its sharing of the expenses of the Dispute Tribunal. Such special agreement shall also contain other provisions required for the Dispute Tribunal to carry out its functions vis-à-vis the agency, organization or entity.

6. In the event of a dispute as to whether the Dispute Tribunal has competence under the present statute, the Dispute Tribunal shall decide on the matter.

7. As a transitional measure, the Dispute Tribunal shall be competent to hear and pass judgement on:

(*a*) A case transferred to it from a joint appeals board or a joint disciplinary committee established by the United Nations, or from another similar body established by a separately administered fund or programme;

(*b*) A case transferred to it from the United Nations Administrative Tribunal;

as decided by the General Assembly.

Article 3

1. An application under article 2, paragraph 1, of the present statute may be filed by:

(*a*) Any staff member of the United Nations, including the United Nations Secretariat or separately administered United Nations funds and programmes;

(*b*) Any former staff member of the United Nations, including the United Nations Secretariat or separately administered United Nations funds and programmes;

(*c*) Any person making claims in the name of an incapacitated or deceased staff member of the United Nations, including the United Nations Secretariat or separately administered United Nations funds and programmes.

2. A request for a suspension of action under article 2, paragraph 2, of the present statute may be filed by an individual, as provided for in paragraph 1 of the present article.

Article 4

1. The Dispute Tribunal shall be composed of three full-time judges and two half-time judges.

2. The judges shall be appointed by the General Assembly on the recommendation of the Internal Justice Council in accordance with Assembly resolution 62/228. No two judges shall be of the same nationality. Due regard shall be given to geographical distribution and gender balance.

3. To be eligible for appointment as a judge, a person shall:

(*a*) Be of high moral character; and

(*b*) Possess at least 10 years of judicial experience in the field of administrative law, or the equivalent within one or more national jurisdictions.

4. A judge of the Dispute Tribunal shall be appointed for one non-renewable term of seven years. As a transitional measure, two of the judges (one full-time judge and one half-time judge) initially appointed, to be determined by drawing of lots, shall serve three years and may be reappointed to the same Dispute Tribunal for a further non-renewable term of seven years. A current or former judge of the United Nations Appeals Tribunal shall not be eligible to serve in the Dispute Tribunal.

5. A judge of the Dispute Tribunal appointed to replace a judge whose term of office has not expired shall hold office for the remainder of his or her predecessor's term, and may be reappointed for one non-renewable term of seven years, provided that the unexpired term is less than three years.

6. A judge of the Dispute Tribunal shall not be eligible for any appointment within the United Nations, except another judicial post, for a period of five years following his or her term of office.

7. The Dispute Tribunal shall elect a President.

8. A judge of the Dispute Tribunal shall serve in his or her personal capacity and enjoy full independence.

9. A judge of the Dispute Tribunal who has, or appears to have, a conflict of interest shall recuse himself or herself from the case. Where a party requests such recusal, the decision shall be taken by the President of the Dispute Tribunal.

10. A judge of the Dispute Tribunal may only be removed by the General Assembly in case of misconduct or incapacity.

11. A judge of the Dispute Tribunal may resign, by notifying the General Assembly through the Secretary-General of the United Nations. The resignation shall take effect from the date of notification, unless the notice of resignation specifies a later date.

Article 5

The three full-time judges of the Dispute Tribunal shall exercise their functions in New York, Geneva and Nairobi, respectively. However, the Dispute Tribunal may decide to hold sessions at other duty stations, as required by its caseload.

Article 6

1. The Secretary-General of the United Nations shall make the administrative arrangements necessary for the functioning of the Dispute Tribunal, including provisions for the travel and related costs of staff whose physical presence before the Dispute Tribunal is deemed necessary by the Dispute Tribunal and for judges to travel as necessary to hold sessions at other duty stations.

2. The Registries of the Dispute Tribunal shall be established in New York, Geneva and Nairobi, each consisting of a Registrar and such other staff as necessary.

3. The expenses of the Dispute Tribunal shall be borne by the United Nations.

4. Compensation ordered by the Dispute Tribunal shall be paid by the United Nations Secretariat or separately administered United Nations funds and programmes, as applicable and appropriate, or by the specialized agency, organization or entity that has accepted the jurisdiction of the Dispute Tribunal.

Article 7

1. Subject to the provisions of the present statute, the Dispute Tribunal shall establish its own rules of procedure, which shall be subject to approval by the General Assembly.

2. The rules of procedure of the Dispute Tribunal shall include provisions concerning:

(*a*) Organization of work;

(*b*) Presentation of submissions and the procedure to be followed in respect thereto;

(*c*) Procedures for maintaining the confidentiality and inadmissibility of verbal or written statements made during the mediation process;

(*d*) Intervention by persons not party to the case whose rights may be affected by the judgement;

(*e*) Oral hearings;

(*f*) Publication of judgements;

(*g*) Functions of the Registries;

(*h*) Procedure for summary dismissal;

(*i*) Evidentiary procedure;

(*j*) Suspension of implementation of contested administrative decisions;

(*k*) Procedure for the recusal of judges;

(*l*) Other matters relating to the functioning of the Dispute Tribunal.

Article 8

1. An application shall be receivable if:

(*a*) The Dispute Tribunal is competent to hear and pass judgement on the application, pursuant to article 2 of the present statute;

(*b*) An applicant is eligible to file an application, pursuant to article 3 of the present statute;

(*c*) An applicant has previously submitted the contested administrative decision for management evaluation, where required; and

(*d*) The application is filed within the following deadlines:

(i) In cases where a management evaluation of the contested decision is required:

a. Within 90 calendar days of the applicant's receipt of the response by management to his or her submission; or

b. Within 90 calendar days of the expiry of the relevant response period for the management evaluation if no response to the request was provided. The response period shall be 30 calendar days after the submission of the decision to management evaluation for disputes arising at Headquarters and 45 calendar days for other offices;

(ii) In cases where a management evaluation of the contested decision is not required, within 90 calendar days of the applicant's receipt of the administrative decision;

(iii) The deadlines provided for in subparagraphs (*d*) (i) and (ii) of the present paragraph shall be extended to one year if the application is filed by any person making claims in the name of an incapacitated or deceased staff member of the United Nations, including the United Nations Secretariat or separately administered United Nations funds and programmes;

(iv) Where the parties have sought mediation of their dispute within the deadlines for the filing of an application under subparagraph (*d*) of the present paragraph, but did not reach an agreement, the application is filed within 90 calendar days after the mediation has broken down in accordance with the procedures laid down in the terms of reference of the Mediation Division.

2. An application shall not be receivable if the dispute arising from the contested administrative decision had been resolved by an agreement reached through mediation. However, an applicant may file an application to enforce the implementation of an agreement reached through mediation, which shall be receivable if the agreement has not been implemented and the application is filed within 90 calendar days after the last day for the implementation as specified in the mediation agreement or, when the mediation agreement is silent on the matter, after the thirtieth day from the date of the signing of the agreement.

3. The Dispute Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and only in exceptional cases. The Dispute Tribunal shall not suspend or waive the deadlines for management evaluation.

4. Notwithstanding paragraph 3 of the present article, an application shall not be receivable if it is filed more than three years after the applicant's receipt of the contested administrative decision.

5. The filing of an application shall not have the effect of suspending the implementation of the contested administrative decision.

6. An application and other submissions shall be filed in any of the official languages of the United Nations.

Article 9

1. The Dispute Tribunal may order production of documents or such other evidence as it deems necessary.

2. The Dispute Tribunal shall decide whether the personal appearance of the applicant or any other person is required at oral proceedings and the appropriate means for satisfying the requirement of personal appearance.

3. The oral proceedings of the Dispute Tribunal shall be held in public unless the Dispute Tribunal decides, at its own initiative or at the request of either party, that exceptional circumstances require the proceedings to be closed.

Article 10

1. The Dispute Tribunal may suspend proceedings in a case at the request of the parties for a time to be specified by it in writing.

2. At any time during the proceedings, the Dispute Tribunal may order an interim measure, which is without appeal, to provide temporary relief to either party, where the contested administrative decision appears prima facie to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage. This temporary relief may include an order to suspend the implementation of the contested administrative decision, except in cases of appointment, promotion or termination.

3. At any time during the deliberations, the Dispute Tribunal may propose to refer the case to mediation. With the consent of the parties, it shall suspend the proceedings for a time to be specified by it. If a mediation agreement is not reached within this period of time, the Dispute Tribunal shall continue with its proceedings unless the parties request otherwise.

4. Prior to a determination of the merits of a case, should the Dispute Tribunal find that a relevant procedure prescribed in the Staff Regulations and Rules or applicable administrative issuances has not been observed, the Dispute Tribunal may, with the concurrence of the Secretary-General of the United Nations, remand the case for institution or correction of the required procedure, which, in any case, should not exceed three months. In such cases, the Dispute Tribunal may order the payment of compensation for procedural delay to the applicant for such loss as may have been caused by such procedural delay, which is not to exceed the equivalent of three months' net base salary.

5. As part of its judgement, the Dispute Tribunal may order one or both of the following:

(*a*) Rescission of the contested administrative decision or specific performance, provided that, where the contested administrative decision concerns appointment, promotion or termination, the Dispute Tribunal shall also set an amount of compensation that the respondent may elect to pay as an alternative to the rescission of the contested administrative decision or specific performance ordered, subject to subparagraph (*b*) of the present paragraph;

(*b*) Compensation, which shall normally not exceed the equivalent of two years' net base salary of the applicant. The Dispute Tribunal may, however, in exceptional cases order the payment of a higher compensation and shall provide the reasons for that decision.

6. Where the Dispute Tribunal determines that a party has manifestly abused the proceedings before it, it may award costs against that party.

7. The Dispute Tribunal shall not award exemplary or punitive damages.

8. The Dispute Tribunal may refer appropriate cases to the Secretary-General of the United Nations or the executive heads of separately administered United Nations funds and programmes for possible action to enforce accountability.

9. Cases before the Dispute Tribunal shall normally be considered by a single judge. However, the President of the United Nations Appeals Tribunal may, within seven calendar days of a written request by the President of the Dispute Tribunal, authorize the referral of a case to a panel of three judges of the Dispute Tribunal, when necessary, by reason of the

particular complexity or importance of the case. Cases referred to a panel of three judges shall be decided by a majority vote.

Article 11

1. The judgements of the Dispute Tribunal shall be issued in writing and shall state the reasons, facts and law on which they are based.

2. The deliberations of the Dispute Tribunal shall be confidential.

3. The judgements of the Dispute Tribunal shall be binding upon the parties, but are subject to appeal in accordance with the statute of the United Nations Appeals Tribunal. In the absence of such appeal, they shall be executable following the expiry of the time provided for appeal in the statute of the Appeals Tribunal.

4. The judgements of the Dispute Tribunal shall be drawn up in any of the official languages of the United Nations, in two originals, which shall be deposited in the archives of the United Nations.

5. A copy of the judgement shall be communicated to each party in the case. The applicant shall receive a copy in the language in which the application was submitted unless he or she requests a copy in another official language of the United Nations.

6. The judgements of the Dispute Tribunal shall be published, while protecting personal data, and made generally available by the Registry of the Tribunal.

Article 12

1. Either party may apply to the Dispute Tribunal for a revision of an executable judgement on the basis of the discovery of a decisive fact which was, at the time the judgement was rendered, unknown to the Dispute Tribunal and to the party applying for revision, always provided that such ignorance was not due to negligence. The application must be made within 30 calendar days of the discovery of the fact and within one year of the date of the judgement.

2. Clerical or arithmetical mistakes, or errors arising therein from any accidental slip or omission, may at any time be corrected by the Dispute Tribunal, either on its own motion or on the application of any of the parties.

3. Either party may apply to the Dispute Tribunal for an interpretation of the meaning or the scope of the final judgement, provided that it is not under consideration by the Appeals Tribunal.

4. Once a judgement is executable under article 11, paragraph 3, of the present statute, either party may apply to the Dispute Tribunal for an order for execution of the judgement if the judgement requires execution within a certain period of time and such execution has not been carried out.

Article 13

The present statute may be amended by decision of the General Assembly.

Annex II

Statute of the United Nations Appeals Tribunal

Article 1

A tribunal is established by the present statute as the second instance of the two-tier formal system of administration of justice, to be known as the United Nations Appeals Tribunal.

Article 2

1. The Appeals Tribunal shall be competent to hear and pass judgement on an appeal filed against a judgement rendered by the United Nations Dispute Tribunal in which it is asserted that the Dispute Tribunal has:

(*a*) Exceeded its jurisdiction or competence;

(*b*) Failed to exercise jurisdiction vested in it;

(*c*) Erred on a question of law;

(*d*) Committed an error in procedure, such as to affect the decision of the case; or

(*e*) Erred on a question of fact, resulting in a manifestly unreasonable decision.

2. An appeal may be filed by either party (i.e., the applicant, a person making claims in the name of an incapacitated or deceased applicant, or the respondent) to a judgement of the Dispute Tribunal.

3. The Appeals Tribunal may affirm, reverse, modify or remand the judgement of the Dispute Tribunal. It may also issue all orders necessary or appropriate in aid of its jurisdiction and consonant with the present statute.

4. In cases of appeal under paragraph 1 (*e*) of the present article, the Appeals Tribunal shall be competent:

(*a*) To affirm, reverse or modify findings of fact of the Dispute Tribunal on the basis of substantial evidence in the written record; or

(*b*) To remand the case to the Dispute Tribunal for additional findings of fact, subject to paragraph 5 of the present article, if it determines that further findings of fact are necessary.

5. In exceptional circumstances, and where the Appeals Tribunal determines that the facts are likely to be established with documentary evidence, including written testimony, it may receive such additional evidence if that is in the interest of justice and the efficient and expeditious resolution of the proceedings. Where this is not the case, or where the Appeals Tribunal determines that a decision cannot be taken without oral

testimony or other forms of non-written evidence, it shall remand the case to the Dispute Tribunal. The evidence under this paragraph shall not include evidence that was known to either party and should have been presented at the level of the Dispute Tribunal.

6. Where the Appeals Tribunal remands a case to the Dispute Tribunal, it may order that the case be considered by a different judge of the Dispute Tribunal.

7. For the purposes of the present article, "written record" means anything that has been entered in the formal record of the Dispute Tribunal, including submissions, evidence, testimony, motions, objections, rulings and the judgement, and any evidence received in accordance with paragraph 5 of the present article.

8. In the event of a dispute as to whether the Appeals Tribunal has competence under the present statute, the Appeals Tribunal shall decide on the matter.

9. The Appeals Tribunal shall be competent to hear and pass judgement on an appeal of a decision of the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board, alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund, submitted by:

(*a*) Any staff member of a member organization of the Pension Fund which has accepted the jurisdiction of the Appeals Tribunal in Pension Fund cases who is eligible under article 21 of the regulations of the Fund as a participant in the Fund, even if his or her employment has ceased, and any person who has acceded to such staff member's rights upon his or her death;

(*b*) Any other person who can show that he or she is entitled to rights under the regulations of the Pension Fund by virtue of the participation in the Fund of a staff member of such member organization.

In such cases, remands, if any, shall be to the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board.

10. The Appeals Tribunal shall be competent to hear and pass judgement on an application filed against a specialized agency brought into relationship with the United Nations in accordance with the provisions of Articles 57 and 63 of the Charter of the United Nations or other international organization or entity established by a treaty and participating in the common system of conditions of service, where a special agreement has been concluded between the agency, organization or entity concerned and the Secretary-General of the United Nations to accept the terms of the jurisdiction of the Appeals Tribunal, consonant with the present statute. Such special agreement shall provide that the agency, organization or entity concerned shall be bound by the judgements of the Appeals Tribunal and be responsible for the payment of any compensation awarded by the Appeals Tribunal in respect of its own staff members and shall include, inter alia, provisions concerning its participation in the administrative arrangements for the functioning of the Appeals Tribunal and concerning its sharing of the expenses of the Appeals Tribunal. Such special agreement shall also contain other provisions required for the Appeals Tribunal to carry out its functions vis-a-vis the agency, organization or entity. Such special agreement may only be concluded if the agency, organization or entity utilizes a neutral first instance process that includes a written record and a written decision providing reasons, fact and law. In such cases remands, if any, shall be to the first instance process of the agency, organization or entity.

Article 3

1. The Appeals Tribunal shall be composed of seven judges.

2. The judges shall be appointed by the General Assembly on the recommendation of the Internal Justice Council in accordance with General Assembly resolution 62/228. No two judges shall be of the same nationality. Due regard shall be given to geographical distribution and gender balance.

3. To be eligible for appointment as a judge, a person shall:

(*a*) Be of high moral character; and

(*b*) Possess at least 15 years of judicial experience in the field of administrative law, or the equivalent within one or more national jurisdictions.

4. A judge of the Appeals Tribunal shall be appointed for one non-renewable term of seven years. As a transitional measure, three of the judges initially appointed, to be determined by drawing of lots, shall serve three years and may be reappointed to the same Appeals Tribunal for a further non-renewable term of seven years. A current or former judge of the Dispute Tribunal shall not be eligible to serve in the Appeals Tribunal.

5. A judge of the Appeals Tribunal appointed to replace a judge whose term of office has not expired shall hold office for the remainder of his or her predecessor's term and may be reappointed for one non-renewable term of seven years, provided that the unexpired term is less than three years.

6. A judge of the Appeals Tribunal shall not be eligible for any appointment within the United Nations, except another judicial post, for a period of five years following his or her term of office.

7. The Appeals Tribunal shall elect a President and two Vice-Presidents.

8. A judge of the Appeals Tribunal shall serve in his or her personal capacity and enjoy full independence.

9. A judge of the Appeals Tribunal who has, or appears to have, a conflict of interest shall recuse himself or herself from the case. Where a party requests such recusal, the decision shall be taken by the President of the Appeals Tribunal.

10. A judge of the Appeals Tribunal may only be removed by the General Assembly in case of misconduct or incapacity.

11. A judge of the Appeals Tribunal may resign, by notifying the General Assembly through the Secretary-General of the United Nations. The resignation shall take effect from the date of notification, unless the notice of resignation specifies a later date.

Article 4

1. The Appeals Tribunal shall exercise its functions in New York. However, it may decide to hold sessions in Geneva or Nairobi, as required by its caseload.

2. The Appeals Tribunal shall hold ordinary sessions at dates to be fixed by its rules of procedure, subject to the determination of its President that there is a sufficient number of cases to justify holding the session.

3. Extraordinary sessions may be convoked by the President, as required by the caseload.

Article 5

1. The Secretary-General of the United Nations shall make the administrative arrangements necessary for the functioning of the Appeals Tribunal, including provisions for the travel and related costs of staff whose physical presence before the Appeals Tribunal is deemed necessary by the Appeals Tribunal and for judges to travel as necessary to hold sessions in Geneva and Nairobi.

2. The Registry of the Appeals Tribunal shall be established in New York. It shall consist of a Registrar and such other staff as necessary.

3. The expenses of the Appeals Tribunal shall be borne by the United Nations.

4. Compensation ordered by the Appeals Tribunal shall be paid by the United Nations Secretariat or separately administered United Nations funds and programmes, as applicable and appropriate, or by the specialized agency, organization or entity that has accepted the jurisdiction of the Appeals Tribunal.

Article 6

1. Subject to the provisions of the present statute, the Appeals Tribunal shall establish its own rules of procedure, which shall be subject to approval by the General Assembly.

2. The rules of procedure of the Appeals Tribunal shall include provisions concerning:

(*a*) Election of the President and Vice-Presidents;

(*b*) Composition of the Appeals Tribunal for its sessions;

(*c*) Organization of work;

(*d*) Presentation of submissions and the procedure to be followed in respect thereto;

(*e*) Procedures for maintaining the confidentiality and inadmissibility of verbal or written statements made during the mediation process;

(*f*) Intervention by persons not party to the case whose rights may have been affected by the judgement of the Dispute Tribunal and whose rights might therefore also be affected by the judgement of the Appeals Tribunal;

(*g*) The filing of friend-of-court briefs, upon motion and with the permission of the Appeals Tribunal;

(*h*) Oral proceedings;

(*i*) Publication of judgements;

(*j*) Functions of the Registry;

(*k*) Procedure for the recusal of judges;

(*l*) Other matters relating to the functioning of the Appeals Tribunal.

Article 7

1. An appeal shall be receivable if:

(*a*) The Appeals Tribunal is competent to hear and pass judgement on the appeal, pursuant to article 2, paragraph 1, of the present statute;

(*b*) The appellant is eligible to file the appeal, pursuant to article 2, paragraph 2, of the present statute; and

(*c*) The appeal is filed within 45 calendar days of the receipt of the judgement of the Dispute Tribunal or, where the Appeals Tribunal has decided to waive or suspend that deadline in accordance with paragraph 3 of the present article, within the period specified by the Appeals Tribunal.

2. For purposes of applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund arising out of a decision of the United Nations Joint Staff Pension Board, an application shall be receivable if filed within 90 calendar days of receipt of the Board's decision.

3. The Appeals Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and only in exceptional cases. The Appeals Tribunal shall not suspend or waive the deadlines for management evaluation.

4. Notwithstanding paragraph 3 of the present article, an application shall not be receivable if it is filed more than one year after the judgement of the Dispute Tribunal.

5. The filing of appeals shall have the effect of suspending the execution of the judgement contested.

6. An appeal and other submissions shall be filed in any of the official languages of the United Nations.

Article 8

1. The Appeals Tribunal may order production of documents or such other evidence as it deems necessary, subject to article 2 of the present statute.

2. The Appeals Tribunal shall decide whether the personal appearance of the appellant or any other person is required at oral proceedings and the appropriate means to achieve that purpose.

3. The judges assigned to a case will determine whether to hold oral proceedings.

4. The oral proceedings of the Appeals Tribunal shall be held in public unless the Appeals Tribunal decides, at its own initiative or at the request of either party, that exceptional circumstances require the proceedings to be closed.

Article 9

1. The Appeals Tribunal may order one or both of the following:

(*a*) Rescission of the contested administrative decision or specific performance, provided that, where the contested administrative decision concerns appointment, promotion or termination, the Appeals Tribunal shall also set an amount of compensation that the respondent may elect to pay as an alternative to the rescission of the contested administrative decision or specific performance ordered, subject to subparagraph (*b*) of the present paragraph;

(*b*) Compensation, which shall normally not exceed the equivalent of two years' net base salary of the applicant. The Appeals Tribunal may, however, in exceptional cases order the payment of a higher compensation and shall provide the reasons for that decision.

2. Where the Appeals Tribunal determines that a party has manifestly abused the appeals process, it may award costs against that party.

3. The Appeals Tribunal shall not award exemplary or punitive damages.

4. At any time during the proceedings, the Appeals Tribunal may order an interim measure to provide temporary relief to either party to prevent irreparable harm and to maintain consistency with the judgement of the Dispute Tribunal.

5. The Appeals Tribunal may refer appropriate cases to the Secretary-General of the United Nations or executive heads of separately administered United Nations funds and programmes for possible action to enforce accountability.

Article 10

1. Cases before the Appeals Tribunal shall normally be reviewed by a panel of three judges and shall be decided by a majority vote.

2. Where the President or any two judges sitting on a particular case consider that the case raises a significant question of law, at any time before judgement is rendered, the case may be referred for consideration by the whole Appeals Tribunal. A quorum in such cases shall be five judges.

3. The judgements of the Appeals Tribunal shall be issued in writing and shall state the reasons, facts and law on which they are based.

4. The deliberations of the Appeals Tribunal shall be confidential.

5. The judgements of the Appeals Tribunal shall be binding upon the parties.

6. The judgements of the Appeals Tribunal shall be final and without appeal, subject to the provisions of article 11 of the present statute.

7. The judgements of the Appeals Tribunal shall be drawn up in any of the official languages of the United Nations, in two originals, which shall be deposited in the archives of the United Nations.

8. A copy of the judgement shall be communicated to each party in the case. The applicant shall receive a copy in the language in which the appeal was submitted unless he or she requests a copy in another official language of the United Nations.

9. The judgements of the Appeals Tribunal shall be published, while protecting personal data, and made generally available by the Registry of the Tribunal.

Article 11

1. Subject to article 2 of the present statute, either party may apply to the Appeals Tribunal for a revision of a judgement on the basis of the discovery of a decisive fact which was, at the time the judgement was rendered, unknown to the Appeals Tribunal and to the party applying for revision, always provided that such ignorance was not due to negligence. The application must be made within 30 calendar days of the discovery of the fact and within one year of the date of the judgement.

2. Clerical or arithmetical mistakes, or errors arising therein from any accidental slip or omission, may at any time be corrected by the Appeals Tribunal, either on its own motion or on the application of any of the parties.

3. Either party may apply to the Appeals Tribunal for an interpretation of the meaning or scope of the judgement.

4. Where the judgement requires execution within a certain period of time and such execution has not been carried out, either party may apply to the Appeals Tribunal for an order for execution of the judgement.

Article 12

The present statute may be amended by decision of the General Assembly.

RESOLUTION 63/254

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/643, para. 6)

63/254. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the report of the Secretary-General on the revised estimates under the budget, for the biennium 2008–2009, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[64] and his first performance report on the International Criminal Tribunal for Rwanda for the biennium 2008–2009,[65]

Having also considered the report of the Board of Auditors on the International Criminal Tribunal for Rwanda and the recommendations contained therein,[66]

Having further considered the related report of the Advisory Committee on Administrative and Budgetary Questions,[67]

Recalling its resolution 49/251 of 20 July 1995 on the financing of the International Criminal Tribunal for Rwanda and its subsequent resolutions thereon, the latest of which was resolution 62/229 of 22 December 2007,

1. *Takes note* of the report of the Secretary-General on the revised estimates under the budget, for the biennium 2008–2009, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[64] and his first performance report on the International Criminal Tribunal for Rwanda for the biennium 2008–2009;[65]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[67]

3. *Decides* on a revised appropriation to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, of a total amount of 305,378,600 United States dollars gross (282,597,100 dollars net) for the biennium 2008–2009, as detailed in the annex to the present resolution;

4. *Also decides*, for the year 2009, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year,[68] the amount of 84,657,900 dollars gross (78,253,300 dollars net), including 19,011,200 dollars gross (17,565,250 dollars net), being the increase in assessments;

5. *Further decides*, for the year 2009, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations for the year, the amount of 84,657,900 dollars gross (78,253,300 dollars net), including 19,011,200 dollars gross (17,565,250 dollars net), being the increase in assessments;

6. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount of 12,809,200 dollars, including 2,891,900 dollars, being the increase in the estimated staff assessment income approved for the International Criminal Tribunal for Rwanda for the biennium 2008–2009.

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[64] A/63/506.

[65] A/63/558.

[66] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 5K* (A/63/5/Add.11), chap. II.

[67] See A/63/595.

[68] See resolution 61/237.

Annex

Financing for the biennium 2008–2009 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross	*Net*
	(United States dollars)	
Initial appropriation for the biennium 2008–2009 (resolution 62/229)	267 356 200	247 466 600
Add:		
Revised estimates for the biennium 2008–2009 after recosting (A/63/506 and A/63/595)	30 190 700	28 182 500
First performance report for the biennium 2008–2009 (A/63/558)	7 831 700	6 948 000
Proposed revised appropriation for the biennium 2008–2009	**305 378 600**	**282 597 100**
Assessment for 2008	136 062 800	126 090 500
Balance to be assessed for 2009	169 315 800	156 506 600
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2009	84 657 900	78 253 300
Contributions assessed on Member States in accordance with the rates of assessment applicable to the peacekeeping operations of the United Nations for 2009	84 657 900	78 253 300

RESOLUTION 63/255

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/644, para. 6)

63/255. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the report of the Secretary-General on the revised estimates under the budget, for the biennium 2008–2009, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[69] his first performance report on the International Tribunal for the Former Yugoslavia for the biennium,[70] and his report on the revised estimates arising in respect of Security Council resolution 1800 (2008) on the appointment of additional ad litem judges at the International Tribunal for the Former Yugoslavia,[71]

Having also considered the report of the Board of Auditors on the International Tribunal for the Former Yugoslavia and the recommendations contained therein,[72]

Having further considered the related reports of the Advisory Committee on Administrative and Budgetary Questions,[73]

Stressing the need fully to respect and maintain the balance between the principal organs of the United Nations within their respective purviews and mandates in accordance with the Charter,

Reaffirming its authority in the consideration of all budgetary issues, as stipulated in the Charter,

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which was resolution 62/230 of 22 December 2007,

1. *Takes note* of the report of the Secretary-General on the revised estimates under the budget, for the biennium 2008–2009, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[69] his first performance report of the International Tribunal for the Former Yugoslavia for the biennium,[70] and his report on the revised estimates arising in respect of Security Council resolution 1800 (2008) on the appointment of additional ad litem judges at the International Tribunal for the Former Yugoslavia;[71]

2. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions;[73]

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[69] A/63/513.

[70] A/63/559.

[71] A/62/809.

[72] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 5L* (A/63/5/Add.12), chap. II.

[73] See A/63/595; and A/62/7/Add.38 (for the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*).

3. *Reaffirms*, in the context of all Security Council decisions on the International Tribunals, the prerogatives of the General Assembly in the issues related to administrative and budgetary matters;

4. *Reiterates* that, in accordance with the Financial Regulations and Rules of the United Nations,[74] the submission of the budget proposals is a prerogative of the Secretary-General;

5. *Invites* the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters;

6. *Requests* the President of the General Assembly to bring to the attention of the President of the Security Council the contents of the present resolution;

7. *Decides* on a revised appropriation to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 of a total amount of 376,232,900 United States dollars gross (342,332,300 dollars net) for the biennium 2008–2009, as detailed in the annex to the present resolution;

8. *Also decides*, for 2009, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year,[75] the amount of 101,158,400 dollars gross (91,981,800 dollars net), including 14,333,000 dollars gross (12,930,100 dollars net), being the increase in assessments;

9. *Further decides*, for 2009, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations for the year, the amount of 101,158,400 dollars gross (91,981,800 dollars net), including 14,333,000 dollars gross (12,930,100 dollars net), being the increase in assessments;

10. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 8 and 9 above, their respective share in the Tax Equalization Fund in the amount of 18,353,200 dollars, including 2,805,800 dollars, being the increase in the estimated staff assessment income approved for the International Tribunal for the Former Yugoslavia for the biennium 2008–2009.

Annex

Financing for the biennium 2008–2009 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
1. Initial appropriation for the biennium 2008–2009 (resolution 62/230)	347 566 900	316 472 100
Add:		
2. Revised estimates for the biennium 2008–2009 after recosting (A/63/513 and A/63/595)	15 548 100	14 455 500
3. First performance report for the biennium 2008–2009 (A/63/559)	13 117 900	11 404 700
4. **Estimated revised appropriation for the biennium 2008–2009**	**376 232 900**	**342 332 300**
Less:		
5. Estimated income for the biennium 2008–2009	(265 300)	(265 300)
6. Assessment for 2008	173 650 800	158 103 400
7. **Balance to be assessed for 2009**	**202 316 800**	**183 963 600**
Including:		
8. Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2009	101 158 400	91 981 800
9. Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2009	101 158 400	91 981 800

RESOLUTION 63/256

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/645, para. 6)

63/256. Comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

The General Assembly,

Having considered the report of the Secretary-General on the comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia,[76]

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[74] ST/SGB/2003/7.

[75] See resolution 61/237.

Having also considered the related chapter of the report of the International Civil Service Commission for the year 2007,[77]

Having further considered the related report of the Advisory Committee on Administrative and Budgetary Questions,[78]

Recalling its resolution 61/274 of 29 June 2007 on the comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia,

1. *Takes note* of the report of the Secretary-General on the comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia;[76]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[78] subject to the provisions contained in the present resolution;

3. *Takes note* of paragraphs 14 and 15 of the report of the Advisory Committee;

4. *Recognizes* the critical importance of retaining highly-skilled and specialized staff in order to successfully complete all trial proceedings and to meet the targets set out in the respective completion strategies of the Tribunals in a timely manner;

5. *Requests* the Secretary-General to use the existing contractual frameworks to offer contracts to staff, in line with dates of planned post reductions in accordance with the relevant prevailing trial schedules, in order to remove uncertainty with regard to future employment with the aim of ensuring that the Tribunals have the necessary capacity to complete their respective mandates effectively, as recommended by the International Civil Service Commission in paragraph 21 (*b*) of its report.[77]

RESOLUTION 63/257

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/646, para. 6)

63/257. Financing of the United Nations Mission in Ethiopia and Eritrea

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission in Ethiopia and Eritrea[79] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[80]

Recalling Security Council resolution 1312 (2000) of 31 July 2000, by which the Council established the United Nations Mission in Ethiopia and Eritrea, and the subsequent resolutions by which the Council extended the mandate of the Mission, the last of which was resolution 1798 (2008) of 30 January 2008, by which the Council extended the mandate of the Mission until 31 July 2008,

Recalling also Security Council resolution 1827 (2008) of 30 July 2008, by which the Council terminated the mandate of the Mission effective on 31 July 2008,

Recalling further its resolution 55/237 of 23 December 2000 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 62/259 of 20 June 2008,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to complete its administrative liquidation,

1. *Takes note* of the status of contributions to the United Nations Mission in Ethiopia and Eritrea as at 31 October 2008, including the contributions outstanding in the amount of 17.5 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only eighty-seven Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

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[76] A/62/681.

[77] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 30* and corrigendum (A/62/30 and Corr.1), chap. II.B.

[78] A/62/734.

[79] A/63/546 and Corr.1.

[80] A/63/602.

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[80] and requests the Secretary-General to ensure their full implementation;

8. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

Revised budget estimates for the period from 1 July 2008 to 30 June 2009

9. *Decides* to reduce the appropriation of 100,367,400 dollars approved for the maintenance of the Mission for the period from 1 July 2008 to 30 June 2009 under the terms of its resolution 62/259 by the amount of 63,351,000 dollars, to 37,016,400 dollars;

10. *Also decides* to reduce the amount of the estimated staff assessment income approved for the maintenance of the Mission for the period from 1 July 2008 to 30 June 2009 under the terms of its resolution 62/259 from 2,339,800 dollars to 1,111,400 dollars;

Financing of the appropriation

11. *Further decides* to apportion among Member States the amount of 28,652,450 dollars for the administrative liquidation of the Mission for the period from 1 August 2008 to 30 June 2009, in addition to the amount of 8,750,833 dollars already apportioned for the period from 1 to 31 July 2008 under the terms of its resolution 62/259, in accordance with the levels updated in its resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2008 and 2009, as set out in its resolution 61/237 of 22 December 2006;

12. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 11 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 916,417 dollars approved for the Mission for the period from 1 August 2008 to 30 June 2009;

13. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

14. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502 (2003) of 26 August 2003;

15. *Decides* to keep under review during its sixty-third session the item entitled "Financing of the United Nations Mission in Ethiopia and Eritrea".

RESOLUTION 63/258

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/647, para. 6)

63/258. Financing of the African Union-United Nations Hybrid Operation in Darfur

The General Assembly,

Having considered the reports of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur[81] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[82]

1. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[82] subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

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[81] A/63/535 and A/63/544.

[82] A/63/606.

Financial performance report for the period from 1 July 2007 to 30 June 2008

2. *Takes note* of the report of the Secretary-General on the financial performance of the Operation for the period from 1 July 2007 to 30 June 2008;[83]

Progress report for the period from 1 July 2008 to 30 June 2009

3. *Also takes note* of the progress report of the Secretary-General on the budget of the Operation for the period from 1 July 2008 to 30 June 2009;[84]

4. *Reaffirms* the provisions of paragraph 15 of its resolution 62/232 B of 20 June 2008;

Financing of the appropriation for the period from 1 July 2008 to 30 June 2009

5. *Decides* to apportion among Member States the amount of 449,855,000 United States dollars for the period from 1 January to 30 June 2009, in accordance with the updated levels approved by the General Assembly in its resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009 as set out in its resolution 61/237 of 22 December 2006, in addition to the amount of 919,400,200 dollars already apportioned among Member States under the terms of resolution 62/232 B, comprising the amount of 849,855,000 dollars for the maintenance of the Operation for the period from 1 July to 31 December 2008, the amount of 60,624,500 dollars for the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009, and the amount of 8,920,700 dollars for the United Nations Logistics Base at Brindisi, Italy, for the period from 1 July 2008 to 30 June 2009;

6. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 5 above, their respective share in the Tax Equalization Fund of 6,373,050 dollars, representing the estimated staff assessment income approved for the Operation for the period from 1 January to 30 June 2009;

7. *Authorizes* the Secretary-General, upon the advice of the Controller, to assess on Member States, as required, a further amount of up to 200 million dollars for the maintenance of the Operation for the period from 1 January to 30 June 2009;

8. *Decides* that, for Member States that have fulfilled their financial obligations to the Operation, their respective share of the unencumbered balance and other income in the total amount of 225,443,200 dollars in respect of the financial period ended 30 June 2008, shall, on an exceptional basis, and in the light of the submission of a progress report during the budget period, be offset against either their apportionment as provided for in paragraph 5 above or the apportionment for the Operation effective for the period from 1 July 2009 to 30 June 2010, according to the preference of the relevant Member State, in accordance with the updated levels approved by the General Assembly in its resolution 61/243, taking into account the scale of assessments for 2008, as set out in its resolution 61/237, and requests the Secretary-General to implement such an approach;

9. *Also decides* that, for Member States that have not fulfilled their financial obligations to the Operation, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 225,443,200 dollars in respect of the financial period ended 30 June 2008, in accordance with the scheme set out in paragraph 8 above;

10. *Further decides* that the decrease of 4,687,900 dollars in staff assessment income in respect of the financial period ended 30 June 2008 shall be set off against the credits from the amount of 225,443,200 dollars referred to in paragraphs 8 and 9 above;

11. *Decides* to keep under review during its sixty-third session the item entitled "Financing of the African Union-United Nations Hybrid Operation in Darfur".

RESOLUTION 63/259

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/648, para. 6)

63/259. Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

The General Assembly,

Recalling section VIII of its resolution 53/214 of 18 December 1998, its resolutions 55/249 of 12 April 2001,

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[83] A/63/535.

[84] A/63/544.

56/285 of 27 June 2002 and 57/289 of 20 December 2002, section III of its resolution 59/282 of 13 April 2005, paragraph 11 of its resolution 61/262 of 4 April 2007 and its decision 62/547 of 3 April 2008,

Recalling also Article 32 of the Statute of the International Court of Justice, as well as relevant resolutions of the General Assembly that govern the conditions of service and compensation for the members of the International Court of Justice and the judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,

Having considered the report of the Secretary-General[85] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[86]

I

1. *Takes note* of the report of the Secretary-General;[85]

2. *Reaffirms* the principle that the conditions of service and compensation for non-Secretariat United Nations officials shall be separate and distinct from those for officials of the Secretariat;

3. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report;[86]

4. *Decides* that any decisions with regard to the pension scheme shall apply only to the members of the International Court of Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and shall not constitute a precedent for any other category of judges working within the United Nations system and that any decision regarding the service of any other category of judges shall be taken on a case-by-case basis;

5. *Requests* the Secretary-General to make the necessary revisions to article 1, paragraph 2, of the Pension Scheme Regulations for the members of the International Court of Justice and for the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, accordingly;

6. *Also requests* the Secretary-General to report to the General Assembly on any additional expenditures resulting from the above decision in the context of the second performance report on the programme budget for the biennium 2008–2009 and the second performance reports of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda for the biennium;

7. *Recalls* paragraph 11 of its resolution 61/262, in which it requested the Secretary-General to report on options for designing pension schemes, and notes that the Secretary-General has proposed essentially only one option and that, rather than seek the expertise available within the Organization, he has relied on the services of a consultant;

8. *Decides* that the emoluments, pensions, and other conditions of service for the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda shall next be reviewed at its sixty-fifth session, including options for defined benefit and defined contribution pension schemes, and in this regard, requests the Secretary-General to ensure that, in that review, the expertise available within the United Nations is taken full advantage of;

II

Having considered the letter dated 6 March 2007 from the Secretary-General to the President of the General Assembly,[87]

1. *Takes note* of the letter dated 6 March 2007 from the Secretary-General to the President of the General Assembly;[87]

2. *Notes* that the International Criminal Court is not a United Nations entity;

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[85] A/62/538/Add.2.

[86] A/63/570.

[87] A/C.5/61/19.

3. *Decides* to amend article 1, paragraph 7, of the Pension Scheme Regulations for members of the International Court of Justice and article 1, paragraph 5, of the Pension Scheme Regulations for judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda to include a specific reference to the International Criminal Court so as to ensure that no former judge of any of these Courts receives a pension while also serving as a judge of the International Criminal Court;

4. *Notes*, in this regard, the issues of fairness and equality of treatment in respect of the above decision;

5. *Reaffirms* the provisions contained in its resolution 58/318 of 13 September 2004, and emphasizes that the decision contained in paragraph 3 of the present section shall not create a precedent for other organizations outside of the United Nations in respect of the application of pension benefits of judges of the International Court of Justice, the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda.

RESOLUTION 63/260

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/648/Add.1, para. 8)

63/260. Development-related activities

The General Assembly,

Having considered the reports of the Secretary-General on improving the effective and efficient delivery of the mandates of development-related activities and revised estimates relating to the programme budget for the biennium 2008–2009[88] and the Development Account,[89] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[90]

1. *Takes note* of the reports of the Secretary-General on improving the effective and efficient delivery of the mandates of development-related activities and revised estimates relating to the programme budget for the biennium 2008–2009[88] and the Development Account;[89]

2. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[90] subject to the provisions of the present resolution;

3. *Acknowledges* that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizes that development, peace and security and human rights are interlinked and mutually reinforcing;

4. *Stresses* the importance of a coherent vision of the Secretariat's role in the global development architecture;

5. *Encourages* the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to enhance the coordination of the United Nations development system with a view to ensuring greater synergies, effectiveness, efficiencies and coherence of efforts in the delivery of its social, economic and development mandates;

6. *Decides* to establish the posts as contained in the annex to the present resolution;

7. *Also decides* that the posts for section 17, Economic and social development in Africa, section 18, Economic and social development in Asia and the Pacific, section 19, Economic development in Europe, section 20, Economic and social development in Latin America and the Caribbean, and section 21, Economic and social development in Western Asia, shall be established effective 1 January 2009, and the posts for section 9, Economic and social affairs, section 10, Least developed countries, landlocked developing countries and small island developing States, section 11, United Nations support for the New Partnership for Africa's Development, and section 12, Trade and development, shall be established effective 1 July 2009;

8. *Further decides* not to abolish the post of the Special Adviser on Africa at the level of Under-Secretary-General;

9. *Decides* not to approve the non-post resources for travel of staff, consultants and experts and contractual services, excluding the regional commissions;

10. *Requests* the Secretary-General to report on the implementation of the present resolution within the context of the proposed programme budget for the biennium 2012–2013.

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[88] A/62/708.

[89] A/63/335.

[90] A/62/7/Add.40 (for the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*) and A/63/479.

Annex

Development-related activities: posts to be established under the programme budget for the biennium 2008–2009

Section and subprogramme	*Number of posts*	*Level*
9. Economic and social affairs		
Executive direction and management	1	1 P-5
1. Economic and Social Council support and coordination	1	1 P-4
2. Gender issues and advancement of women	5	1 P-5, 2 P-4, 2 P-3
3. Social policy and development	1	1 P-4
4. Sustainable development	1	1 P-4
5. Statistics	1	1 P-3
6. Population	1	1 P-4
9. Sustainable forest management	1	1 P-5
10. Financing for development	1	1 P-4
Subtotal	**13**	**3 P-5, 7 P-4, 3 P-3**
10. Least developed countries, landlocked developing countries and small island developing States		
1. Least developed countries	1	1 P-4
2. Landlocked developing countries	1	1 P-4
3. Small island developing States	1	1 P-4
Subtotal	**3**	**3 P-4**
11. United Nations support for the New Partnership for Africa's Development		
1. Coordination of global advocacy of and support for the New Partnership for Africa's Development	3	1 P-4, 2 P-3
Subtotal	**3**	**1 P-4, 2 P-3**
12. Trade and development		
1. Globalization, interdependence and development	6	1 D-1, 1 P-5, 2 P-4, 2 P-3
2. Investment, enterprise and technology	2	1 P-5, 1 P-4
3. International trade	2	1 D-1, 1 P-4
5. Africa, least developed countries and special programmes	2	1 D-1, 1 P-4
Subtotal	**12**	**3 D-1, 2 P-5, 5 P-4, 2 P-3**
17. Economic and social development in Africa		
Executive direction and management	1	1 National Officer
7. Subregional activities for development	11	11 National Officer
9. Statistics	6	2 P-5, 2 P-4, 2 P-3
Programme support	1	1 National Officer
Subtotal	**19**	**2 P-5, 2 P-4, 2 P-3, 13 National Officer**

Section and subprogramme	*Number of posts*	*Level*
18. Economic and social development in Asia and the Pacific		
3. Subregional activities for development	11	2 D-1, 4 P-5, 1 P-4, 2 P-3, 1 Local level, 1 National Officer
Subtotal	**11**	**2 D-1, 4 P-5, 1 P-4, 2 P-3, 1 Local level, 1 National Officer**
19. Economic development in Europe		
Executive direction and management	1	1 P-4
3. Statistics	1	1 P-3
5. Sustainable energy	1	1 P-4
Programme support	1	1 P-3
Subtotal	**4**	**2 P-4, 2 P-3**
20. Economic and social development in Latin America and the Caribbean		
1. Linkages with the global economy, regional integration and cooperation	2	1 P-4, 1 P-3
2. Production and innovation	1	1 P-3
4. Social development and equity	1	1 P-3
5. Mainstreaming the gender perspective in regional development	2	1 P-5, 1 P-3
6. Population and development	1	1 P-3
8. Sustainable development and human settlements	3	1 P-5, 1 P-3, 1 P-2
9. Natural resources and infrastructure	4	1 P-4, 2 P-2, 1 Local level
10. Statistics and economic projections	1	1 P-3
11. Subregional activities in Mexico and Central America	3	1 P-4, 1 P-3, 1 Local level
12. Subregional activities in the Caribbean	2	2 P-3
Subtotal	**20**	**2 P-5, 3 P-4, 10 P-3, 3 P-2, 2 Local level**
21. Economic and social development in Western Asia		
1. Integrated management of natural resources for sustainable development	1	1 P-4
2. Integrated social policies	1	1 P-4
3. Economic development and integration	1	1 P-4
4. Information and communication technology for regional integration	2	1 P-5, 1 National Officer
5. Statistics for evidence-based policymaking	1	1 P-3
Subtotal	**6**	**1 P-5, 3 P-4, 1 P-3, 1 National Officer**
Total	**91**	

RESOLUTION 63/261

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/648/Add.2, para. 6)

63/261. Strengthening of the Department of Political Affairs

The General Assembly,

Recalling its resolution 62/236 of 22 December 2007,

Having considered the report of the Secretary-General on the revised estimates under section 1, Overall policymaking, direction and coordination, section 3, Political affairs, section 28D, Office of Central Support Services, and section 35, Staff assessment, of the proposed programme budget for the biennium 2008–2009, relating to the strengthening of the Department of Political Affairs,[91] the report of the Office of Internal Oversight Services on the audit of the management of special political missions by the Department of Political Affairs,[92] the letter dated 7 March 2008 from the Permanent Representatives of Antigua and Barbuda and Cuba to the United Nations addressed to the Secretary-General,[93] the letter dated 12 March 2008 from the Secretary-General to the Permanent Representatives of Antigua and Barbuda and Cuba to the United Nations[94] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[95]

Reaffirming its rules of procedure,

Recalling the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation[96] and the Financial Regulations and Rules of the United Nations,[97]

Stressing the intergovernmental, multilateral and international character of the United Nations,

Reaffirming the role of the General Assembly and its relevant intergovernmental and expert bodies, within their respective mandates, in planning, programming, budgeting, monitoring and evaluation,

Recognizing that the prevention of armed conflict and the peaceful settlement of disputes are central to the mandate of the United Nations,

Recognizing also that preventive diplomacy is a core function of the United Nations and is central to the role of the Secretary-General and that the Department of Political Affairs has primary responsibility for carrying out preventive diplomacy and supporting the good offices function of the Secretary-General,

Recognizing further the important role of the good offices of the Secretary-General, including in the mediation of disputes,

1. *Takes note* of the report of the Secretary-General;[91]

2. *Stresses* that any activity by the Department of Political Affairs related to preventive diplomacy and conflict resolution must be carried out in accordance with the principles of sovereignty, territorial integrity and political independence of States;

3. *Also stresses* that improvement in the capacity of the United Nations to prevent and resolve conflicts is a better investment than dealing with the cost of armed conflict and its aftermath;

4. *Recognizes* the important role women play in the area of preventive diplomacy;

5. *Also recognizes* that the root causes of armed conflict are multidimensional in nature, thus requiring a comprehensive and integrated approach to the prevention of armed conflict;

6. *Notes* that the objective of strengthening and rationalizing the Department of Political Affairs, including its supportive role regarding preventive diplomacy and resolution of conflict, is to improve the Department's effectiveness and efficiency in fulfilling its mandate;

7. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

8. *Also reaffirms* its role in carrying out a thorough analysis and approval of human and financial resources and policies, with a view to ensuring full, effective and efficient implementation of all mandated programmes and activities and the implementation of policies in this regard;

9. *Further reaffirms* its role with regard to the structure of the Secretariat, and stresses that proposals to amend the overall departmental structure, as well as the format of the programme budget and the biennial programme plan, are subject to its review and prior approval;

10. *Reaffirms* its resolution 55/231 of 23 December 2000, and requests the Secretary-General to ensure that in presenting the programme budget, expected accomplishments and indicators of achievement are included to measure achievements in the implementation of the programmes of the Organization and not those of individual Member States;

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[91] A/62/521 and Corr.1.

[92] A/61/357.

[93] A/C.5/62/24.

[94] A/C.5/62/25.

[95] A/62/7/Add.32. For the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*.

[96] ST/SGB/2000/8.

[97] ST/SGB/2003/7.

11. *Requests* the Secretary-General to explore potential synergies and complementarities among special political missions, where possible, in order to avoid duplication and overlap, bearing in mind the autonomous nature of each legislative mandate;

12. *Underlines* the continued importance of the role of the Secretary-General in ensuring, when appointing his special representatives and envoys, the highest standards of integrity, competency, impartiality and professionalism;

13. *Emphasizes* the sensitivity of the mandates of special political missions, and in this regard recalls Article 2, paragraph 7, of the Charter of the United Nations;

14. *Recalls* that the Secretary-General may nominate special representatives and envoys, and in this respect notes the intention of the Secretary-General to continuously consult with Member States concerned on these matters;

15. *Also recalls* the role of the Secretary-General as the Chief Administrative Officer of the Organization, in accordance with the provisions of Article 97 of the Charter;

16. *Reiterates* that the delegation of authority on the part of the Secretary-General should be in order to facilitate the better management of the Organization, but stresses that the overall responsibility for management of the Organization rests with the Secretary-General as the Chief Administrative Officer;

17. *Also reiterates* the importance of strengthened accountability in the Organization and of ensuring greater accountability of the Secretary-General to Member States, inter alia, for the effective and efficient implementation of legislative mandates and the use of human and financial resources;

18. *Recalls* the letter dated 7 March 2008 from the Permanent Representatives of Antigua and Barbuda and Cuba to the United Nations addressed to the Secretary-General[93] and the letter dated 12 March 2008 from the Secretary-General to the Permanent Representatives of Antigua and Barbuda and Cuba to the United Nations,[94] stresses the strong concerns of some Member States contained therein,[93] and requests the Secretary-General to ensure that there is sufficient knowledge within the Department of Political Affairs of the political situation in all regions and to abide strictly by the principles enshrined in the Charter;

19. *Requests* the Secretary-General, in this regard, to ensure that, in the submission of future budget documents, the narrative parts are based solely on factual information;

20. *Stresses* the importance of the role of the Department of Political Affairs in providing appropriate political guidance in the context of its involvement in United Nations trust funds to which it provides such guidance, in accordance with the principles enshrined in the Charter and the relevant resolutions of the General Assembly;

21. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[95] subject to the provisions of the present resolution;

22. *Recalls* section V, paragraph 8, of its resolution 62/238 of 22 December 2007, takes note of the report of the Office of Internal Oversight Services[92] and stresses the importance of its full implementation;

23. *Emphasizes* the importance of the integration of effort, policy coherence and efficiency in the use of resources;

24. *Reiterates its request* to the Secretary-General to address systemic issues that hamper good management of the Organization, including the work processes and procedures, and in that context stresses that structural change is no substitute for managerial improvement;

25. *Requests* the Secretary-General to identify, where possible, means to achieve greater complementarities and synergies between the Department of Political Affairs and other departments and offices of the United Nations Secretariat as well as other relevant actors of the United Nations system;

26. *Stresses* the importance of clear reporting lines and accountability between the special political missions and Headquarters;

27. *Decides* to establish the Middle East and West Asia Division and, in this regard, not to divide it into sections and units, and stresses the need to continue the current arrangement;

28. *Recalls* all United Nations resolutions related to the situation in the Middle East and the question of Palestine, and notes the responsibilities of the Middle East and West Asia Division in this regard;

29. *Decides* that the Asia and Pacific Division shall be composed of two sections, as follows:

(*a*) Asia-Pacific I Section (Central, South and North-east Asian countries);

(*b*) Asia-Pacific II Section (South-east Asia and the Pacific countries);

30. *Also decides* that the Americas Division shall comprise four sections, as follows:

(*a*) North America;

(*b*) Central America;

(*c*) The Caribbean;

(*d*) South America;

31. *Stresses* the importance of the Department of Political Affairs continuing to pay adequate attention to the situation in Haiti in support of the Department of Peacekeeping Operations, together with the Department of Economic and Social Affairs, the Economic Commission for Latin America and the Caribbean and other relevant United Nations entities;

32. *Decides* that the Caribbean Section shall be headed at the P-5 level;

33. *Stresses* the importance of the Department of Political Affairs continuing to pay adequate attention to regional and subregional organizations;

34. *Decides* not to establish a Policy, Partnerships and Mediation Support Division and not to approve the reclassification of a post for a director of that division from the D-1 to the D-2 level, and requests the Secretary-General to resubmit his proposals, taking fully into account the mandate of the Department of Political Affairs as stipulated in the strategic framework;

35. *Also decides* not to establish a Special Political Missions Support Unit until a report on the management and administration of special political missions by the Department of Political Affairs is considered by the General Assembly;

36. *Stresses* the need for the Secretary-General to consider the status of the existing field presence of the United Nations entities engaged in promoting peace and security, taking into account their respective mandates, before proposing the establishment of regional offices;

37. *Recalls* paragraph 23 of the report of the Advisory Committee on Administrative and Budgetary Questions,[95] and stresses that the establishment of any future regional political affairs office requires the concurrence of all concerned Member States covered by the relevant mandate approved by the appropriate legislative bodies;

38. *Encourages* the Secretary-General to continue to regularly brief Member States on issues related to the work of the Department of Political Affairs and to keep ensuring appropriate interaction between the Department and the principal bodies of the Organization;

39. *Requests* the Secretary-General to entrust the Office of Internal Oversight Services with conducting an audit of the management of special political missions by the Department of Political Affairs, as a follow-up to the report of the Office, and to submit a report on the audit to the General Assembly for consideration at the main part of its sixty-fourth session;

40. *Also requests* the Secretary-General to submit a comprehensive report to the General Assembly at its sixty-fifth session on the efficiency and effectiveness of the new structure in the implementation of mandates as well as programmatic delivery and improvements in the administrative and management processes and efficiency gains;

41. *Decides* to establish the posts as contained in the annex to the present resolution.

Annex

Department of Political Affairs: posts to be established under the programme budget for the biennium 2008–2009

Organizational unit		*Number of posts*	*Post level*
United Nations Liaison Office	New	3	1 P-5, 1 P-3, 1 LL
	Reclassification		1 D-1 to D-2
Office of the Under-Secretary-General	Reclassification		1 P-3 to P-4
	Redeployment		D-2 from Americas Division
Office of the Assistant Secretary-General (Africa)	New	1	1 P-4
Africa I Division	New	8	3 P-4, 2 P-3, 1 P-2, 2 GS (OL)
Africa II Division	New	6	1 P-3, 4 P-2, 1 GS (OL)
Middle East and West Asia Division	New	5	1 P-5, 1 P-4 (Iraq) , 2 P-3, 1 P-2
Asia and Pacific Division	New	4	3 P-3, 1 P-2
Americas Division	New	3	1 P-5, 2 P-2
	Redeployment		D-2 to the Office of the Under-Secretary-General
Europe Division	New	1	1 P-4 (Cyprus)
	Reclassification		1 D-1 to D-2
Mediation Support Unit	New	7	1 P-4, 3 P-3, 2 P-2, 1 GS (OL)
Electoral Assistance Division	New	8	1 P-5, 3 P-4, 4 GS (OL)
	Reclassification		1 P-2 to P-3
Security Council Affairs Division	New	2	2 P-2
Executive Office	New	1	1 P-4
	Reclassification		1 P-5 to D-1
Total		**49**	**2 D-2, -1 D-1, 3 P-5, 12 P-4, 12 P-3, 12 P-2, 8 GS (OL), 1 LL**

Abbreviations: GS (OL), General Service (Other Level); LL, Local level.

RESOLUTION 63/262

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/648/Add.3, para. 6)

63/262. Information and communications technology, enterprise resource planning, and security, disaster recovery and business continuity

The General Assembly,

Recalling its resolutions 57/304 of 15 April 2003, 59/275 of 23 December 2004, 60/283, section II, of 7 July 2006 and 62/250 of 20 June 2008,

Having considered the report of the Secretary-General entitled "Investing in information and communications technology: information and communications strategy for the United Nations Secretariat"[98] and the addendum thereto,[99] the report of the Secretary-General entitled "Information and communications technology: enterprise systems for the United Nations Secretariat worldwide",[100] the report of the Secretary-General on information and communications technology security, disaster recovery and business continuity for the United Nations[101] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[102] the first progress report of the Secretary-General on the adoption of International Public Sector Accounting Standards by the United Nations[103] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[104] the report of the Secretary-General entitled "Investing in information and communications technology: status report"[105] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[106] the note by the Secretary-General on information and communication technology security, business continuity and disaster recovery[107] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[108] the report of the Secretary-General entitled "Investing in the United Nations for a stronger Organization worldwide: interim report: investing in information and communications technology"[109] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[110] the notes by the Secretary-General transmitting the report of the Joint Inspection Unit on policies of the United Nations system organizations towards the use of open source software in the secretariats[111] and the comments of the Secretary-General and those of the United Nations System Chief Executives Board for Coordination thereon,[112] the notes by the Secretary-General transmitting the report of the Joint Inspection Unit on knowledge management in the United Nations system[113] and the comments of the Secretary-General and those of the United Nations System Chief Executives Board for Coordination thereon,[114] and the report of the Secretary-General on the feasibility of the application of cost-accounting principles in the United Nations Secretariat[115] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[116]

Underlining the importance of information and communications technology in meeting the growing demands of the Organization as it becomes increasingly reliant on its information technology and communications infrastructure,

Also underlining the importance of information and communications technology in strengthening oversight and accountability and in increasing the availability of accurate and timely information to support decision-making,

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Recalls* the role of the Secretary-General as the Chief Administrative Officer of the Organization, in accordance with the provisions of Article 97 of the Charter of the United Nations;

3. *Recognizes* the need for central authority to set common standards, provide an Organization-wide perspective, optimize use of resources and improve information and communications technology services;

4. *Also recognizes* the need for an integrated, global information system that makes possible the effective management of human, financial and physical resources and that is based on streamlined business processes and best practices;

5. *Further recognizes* the need for a global operational framework to enable the United Nations to respond effectively

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[98] A/62/793 and Corr.1.

[99] A/62/793/Add.1.

[100] A/62/510/Rev.1.

[101] A/62/477.

[102] A/63/487 and Corr.1 and 2.

[103] A/62/806.

[104] A/63/496.

[105] A/62/502.

[106] A/62/7/Add.31. For the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*.

[107] A/61/290.

[108] A/61/478.

[109] A/61/765.

[110] A/61/804.

[111] A/60/665.

[112] A/60/665/Add.1.

[113] A/63/140.

[114] A/63/140/Add.1.

[115] A/61/826.

[116] A/62/537.

to emergency situations that may impair the operations of critical elements of its information and communications technology infrastructure and facilities;

6. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[102,106] subject to the provisions of the present resolution;

I

Information and communications technology strategy and governance

Recognizing the importance of the Secretary-General's knowledge management proposals, particularly in facilitating more informed decision-making and improving the effectiveness of the Organization,

Emphasizing the importance of strong, central leadership for the establishment and implementation of Organization-wide information and communications technology standards and activities in order to ensure efficient utilization of resources, modernization of information systems and improvement in the information and communications technology services available to the United Nations,

1. *Recognizes* that the successful integration of central information and communications technology functions across the Secretariat is essential to achieving coherence and coordination in the work of the Organization and between the Secretariat and the funds, programmes and specialized agencies;

2. *Notes* the intention of the Secretary-General to establish the Office of Information and Communications Technology in a budget-and-staff-neutral manner;

3. *Stresses* the need for a simple and operationally effective information and communications technology governance structure with clear lines of authority and accountability;

4. *Decides* to establish the Office of Information and Communications Technology as an independent organizational unit under a separate budget section, to be headed by the Chief Information Technology Officer at the level of Assistant Secretary-General;

5. *Emphasizes* that there is no single governance model for information and communications technology that can be assumed to be solely appropriate for the United Nations;

6. *Notes* the considerable level of expertise in the International Computing Centre, and requests the Secretary-General to continue to utilize the services of the Centre in supporting the information and communications technology activities of the United Nations;

7. *Requests* the Secretary-General to ensure that the centralization and integration of the information and communications technology functions in the Office of Information and Communications Technology do not have any negative impact on the support provided to field operations worldwide;

8. *Encourages* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to foster deeper coordination and collaboration among United Nations organizations in all matters related to information and communications technology;

9. *Requests* the Secretary-General, in accordance with its resolution 58/269 of 23 December 2003, to submit a revised strategic framework to the Committee for Programme and Coordination at its forty-ninth session in the light of the programmatic aspects of the revision arising from the creation of the Office of Information and Communications Technology;

10. *Also requests* the Secretary-General to report to the General Assembly at the main part of its sixty-fifth session on his information and communications technology strategy, including on:

(*a*) Any necessary adjustments to the governance structure to make it simpler and operationally effective as a policy setting and management instrument;

(*b*) An update on such management and reporting arrangements;

(*c*) An in-depth assessment of the organizational arrangement, including the possibility of changing the placement of the Office of Information and Communications Technology in the structure of the Organization;

(*d*) A comprehensive inventory of information and communications technology capacities across the Secretariat, including dedicated and part-time personnel;

(*e*) More precisely identified and quantified efficiency gains or benefits expected from the implementation of the information and communications technology strategy;

(*f*) The methodology and benchmarks used to identify and measure those benefits;

(*g*) The roles and responsibilities of the Office of the Chief Information Technology Officer and the Department of Field Support of the Secretariat regarding information and communications technology activities, including on lines of authority, accountability and the division of labour set out in the new organizational structure;

II

Enterprise resource planning project

1. *Recalls* section II, paragraph 4, of its resolution 60/283, in which it decided to replace the Integrated Management Information System with a next-generation enterprise resource planning system or other comparable system;

2. *Stresses* that the implementation of the enterprise resource planning system should aim at consolidating the management of all financial, human and physical resources under a single integrated information system for the entire Organization, including for peacekeeping and field missions;

3. *Recognizes* the considerable operational and financial risks involved in the implementation of the enterprise resource planning system, and stresses the need for the Secretary-General to ensure full accountability and clear lines of responsibility for the project;

4. *Notes* the intention of the Secretary-General to implement the functionalities of the United Nations enterprise resource planning system in ways that would mitigate organizational and managerial risks;

5. *Stresses* the need to implement the various functions of the enterprise resource planning system across the global range of United Nations offices in a well-planned, step-by-step manner that ensures adequate preparation and training for each location and that minimizes the burden of change on the Organization and its resources, in order to further mitigate organizational and managerial risks;

6. *Notes* that the enterprise resource planning system provides for an integrated suite of information technology applications, as outlined by the Secretary-General in paragraph 20 of his report,[100] and requests the Secretary-General to report on those applications to the General Assembly at its sixty-fourth session;

7. *Approves* the proposed governance framework of the enterprise resource planning project;

8. *Notes* that the enterprise resource planning governance structure proposed by the Secretary-General is distinct from the information and communications technology governance structure;

9. *Recognizes* that the successful implementation of the enterprise resource planning project requires the full support and commitment of senior management, as well as close and continuous engagement with key stakeholders;

10. *Emphasizes* that the enterprise resource planning project should be viewed primarily as a business project driven by business process demands and delivered through complex information technology systems requiring a high level of technical expertise;

11. *Recalls* that the objective of the enterprise resource planning project is to enhance the effective and transparent use of the resources of the Organization and, in that regard, emphasizes the need to identify tangible and measurable efficiency and productivity gains arising from the project;

12. *Requests* the Secretary-General to limit customization of the enterprise resource planning software to the extent feasible in order to ensure cost-effectiveness as well as flexibility in upgrading to new versions of the software and to report on any necessary customization with full justification of rationale and cost;

13. *Also requests* the Secretary-General, where customization for a particular function is unavoidable, to consider enhancing existing systems or using specialized software that can integrate with the enterprise resource planning system where it is more cost-effective in the long-term;

14. *Stresses* that changes to the working practices and business processes of the Secretariat should always be considered before undertaking customization;

15. *Expresses its readiness* to consider any duly justified proposal aimed at reducing customization, stressing that any proposed changes to the United Nations regulations must have prior approval of the General Assembly;

16. *Stresses* that, as a later adopter of the enterprise resource planning system, the United Nations can benefit from the lessons learned by other entities of the United Nations system that have implemented such systems;

17. *Takes note* of the overall resource requirements for the implementation of the enterprise resource planning systems for the United Nations as contained in the relevant report of the Secretary-General;[100]

18. *Approves* the amount of 20 million United States dollars, comprising 5,110,000 dollars to be funded from the regular budget for the biennium 2008–2009, 7,050,000 dollars from the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009 and 7,840,000 dollars from extrabudgetary resources for the biennium 2008–2009 for the implementation of the enterprise resource planning system;

19. *Decides* to approve the utilization of the amount of 2,346,000 dollars of interest accrued under the Integrated Management Information System Fund available as at 31 December 2007 to offset the regular budget requirements for the enterprise resource planning project approved in paragraph 18 of the present section;

20. *Requests* the Secretary-General to meet the regular budget share of requirements for the enterprise resource planning system in the amount of 2,764,000 dollars from the overall resources appropriated for the biennium 2008–2009 for the regular budget and to report the related expenditure as necessary in the second performance report for the biennium 2008–2009;

21. *Authorizes* the Secretary-General to enter into commitments in a total amount not to exceed 7,050,000 dollars for the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009 in respect of the support account share for the enterprise resource planning project;

22. *Takes note* that an estimated amount of 7,840,000 dollars will be financed from extrabudgetary resources for the biennium 2008–2009;

23. *Endorses* the cost-sharing arrangement for the financing of the enterprise resource planning project proposed by the Secretary-General in paragraph 79 of his report;[100]

24. *Decides* not to suspend the provisions for the application of credits under regulations 3.2 (*d*), 5.3 and 5.4 of the Financial Regulations and Rules of the United Nations,[117] regarding the use of available balances in the surplus account of the General Fund and the unencumbered balance of active peacekeeping operations;

25. *Authorizes* the Secretary-General to establish a multi-year special account to record income and expenditures for this project;

26. *Requests* the Secretary-General to keep the enterprise resource planning governance structure under review and to report to the General Assembly at the main part of its sixty-fourth session on the enterprise resource planning project, including:

(*a*) An assessment of the organizational arrangements;

(*b*) A revised enterprise resource planning project implementation and updated budget, taking stock of the design phase, with a full and detailed justification of the resources needed;

(*c*) An updated business case, including details on tangible and measurable efficiency and productivity gains in the areas of operation and administration to be achieved through the implementation of the enterprise resource planning system, as well as benchmarks for measuring progress and the anticipated return on investment;

(*d*) Highlighting those modules that are essential for the implementation of the International Public Sector Accounting Standards;

(*e*) An update on the implementation of the customer relationship management and enterprise content management systems, including further resources required, as well as the cost-sharing arrangement for their continued implementation;

(*f*) Justification of the need, and options for, contingency resources, including a possible budgetary alternative;

(*g*) Options for a reduced enterprise resource planning package at lower cost;

III

Customer relationship management and enterprise content management systems

1. *Recognizes* the benefits of the implementation of the customer relationship management and enterprise content management systems, and requests the Secretary-General to continue to implement those applications throughout the Organization, as appropriate;

2. *Stresses* that the customer relationship management and enterprise content management systems shall be developed and implemented under the authority of the Chief Information Technology Officer in order to ensure a coordinated approach to the development of enterprise systems;

3. *Emphasizes* the need to ensure complementarity between the customer relationship management and enterprise content management systems with the forthcoming enterprise resource planning system;

4. *Decides* to approve additional resource requirements for the enterprise content management project in the amount of 2 million dollars, and requests the Secretary-General to meet the requirements from within the overall resources appropriated under the programme budget for the biennium 2008–2009 and to report on the related expenditure, as necessary, in the second performance report on the programme budget for the biennium;

5. *Notes* that implementation of the customer relationship management and enterprise content management systems is already in progress, and that at the time of the inception of those projects, the Secretary-General had not made a full proposal to the General Assembly;

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[117] ST/SGB/2003/7.

IV

Security, disaster recovery and business continuity

1. *Emphasizes* the need for appropriate information and communications technology security, disaster recovery and business continuity plans;

2. *Requests* the Secretary-General to consolidate systems in central data centres in order to strengthen disaster recovery and business continuity and to minimize the size of local primary and secondary data centres;

3. *Also requests* the Secretary-General to prioritize systems in order to minimize the cost of disaster recovery and business continuity;

4. *Recalls* section XV of its resolution 60/266 of 30 June 2006, and stresses the need to ensure timely and secure communications and information exchange within and between duty stations, as well as to ensure that a robust and fault-tolerant infrastructure is in place to continue or restart operations in the event of a natural or a man-made disaster or disruption;

5. *Notes* that the Secretariat lacks an Organization-wide approach to disaster recovery and business continuity, thereby exposing the Organization to considerable risks, and, in this regard, welcomes the development of a unified approach to disaster recovery and business continuity activities throughout the Secretariat;

6. *Encourages* the Secretary-General to take a unified approach to disaster recovery and business continuity, utilizing all available infrastructure, in order to achieve economies of scale and cost efficiencies;

7. *Deeply regrets* that the Secretary-General entered into a long-term lease for the proposed Long Island City data centre before the viability of the site as a secondary data centre for United Nations Headquarters had been fully established, and urges the Secretary-General to explore alternative uses for the leased space as a matter of urgency;

8. *Notes with concern* that the delay this caused may lead to further cost escalation, including to the capital master plan, and risk to data;

9. *Notes* the particular challenge of providing disaster recovery and business continuity to customized departmental information and communications technology systems, and encourages the Secretary-General to pursue an enterprise information and communications technology approach wherever possible;

10. *Requests* the Secretary-General to ensure that the United Nations uses enterprise data centres rather than local data centres as far as possible;

11. *Decides* not to approve the proposal of the Secretary-General for a new secondary data centre at this stage, and requests him to report to the General Assembly at the first part of its resumed sixty-third session on the risk mitigation measures to be taken during the relocation of the primary data centre to the North Lawn;

12. *Requests* the Secretary-General to submit a unified disaster recovery and business continuity plan, including a permanent solution for Headquarters;

13. *Also requests* the Secretary-General to fully explore the possibilities for consolidating and using the most reliable and cost-effective solution for data storage, business continuity services and hosting of enterprise systems, drawing on the experience of other United Nations entities and global developments in information and communications technology, and to report thereon to the General Assembly at the main part of its sixty-fourth session;

14. *Encourages* application and data re-engineering where it supports the long-term goal of managing data recovery and business continuity in system-wide enterprise data centres and where, from a long-term perspective, it is more cost-effective than hosting them at a local data centre;

15. *Notes with appreciation* the commitment of the Government of Spain, and approves the related proposal to host a secondary active telecommunications facility at Valencia, Spain, to support peacekeeping activities;

16. *Decides* not to proceed at this stage with plans to host computing and data storage equipment relating to Secretariat business continuity operations and enterprise solutions at the secondary active communications facility at Valencia;

17. *Requests* the Secretary-General to include, in the report requested in paragraph 13 of the present section, plans to reduce the number of local data centres at Headquarters, offices away from Headquarters and peacekeeping missions;

18. *Endorses* the cost-sharing arrangement proposed by the Secretary-General for the new primary data centre of the United Nations Headquarters;[118]

19. *Requests* the Secretary-General to submit a proposal on cost-sharing arrangements in the context of the report requested in paragraph 11 of the present section on the new secondary data centre;

20. *Takes note* of the intention to meet the estimated requirements in the amount of 149,400 dollars for the

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[118] A/62/477, para. 113.

establishment of the secondary active telecommunications facility at Valencia for the period from 1 July 2008 to 30 June 2009 from within resources approved for the same period for the United Nations Logistics Base at Brindisi, Italy;

21. *Approves* the amount of 7,145,500 dollars for the establishment of a new primary data centre on the North Lawn at Headquarters, of which 5,716,400 dollars is to be funded from resources appropriated under the programme budget for the biennium 2008–2009, and authorizes the Secretary-General to report the related expenditure, as necessary, in the context of the second performance report on the programme budget for the biennium;

22. *Authorizes* the Secretary-General to enter into commitments in a total amount not to exceed 1,429,100 dollars for the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009 in respect of support account share for the establishment of a new primary data centre on the North Lawn;

23. *Takes note* of paragraphs 89 and 96 of the report of the Advisory Committee on Administrative and Budgetary Questions,[102] and decides to approve the amount of 2.5 million dollars, to be funded from the regular budget for the current biennium, for the provision of disaster recovery and business continuity services to Headquarters, offices away from Headquarters and field missions, and requests the Secretary-General to meet the above requirements from within the overall resources appropriated for the biennium for the regular budget and to report the related expenditures, as necessary, in the context of the second performance report for the biennium;

V

International Public Sector Accounting Standards

1. *Takes note* of the first progress report of the Secretary-General on the adoption of the International Public Sector Accounting Standards;[103]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[104]

3. *Recalls* that the General Assembly, in its resolution 60/283, approved the adoption of the International Public Sector Accounting Standards by the United Nations;

4. *Underlines* that the adoption of the International Public Sector Accounting Standards will improve governance, accountability and transparency in the United Nations system;

5. *Recognizes* that the enterprise resource planning system will serve as the backbone for implementation by the United Nations of the International Public Sector Accounting Standards;

6. *Encourages* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to work within the Board to monitor the application of the International Public Sector Accounting Standards to ensure consistency within the United Nations system as a whole;

VI

Cost accounting

1. *Endorses* the report of the Advisory Committee on Administrative and Budgetary Questions,[116] subject to the provisions of the present resolution;

2. *Takes note* of paragraphs 12, 17 and 18 of the report of the Advisory Committee on Administrative and Budgetary Questions;[116]

3. *Notes* that cost accounting is more suitably applied to the support services of the Organization and may not be suitable for use in the substantive work of the Organization;

4. *Requests* the Secretary-General to continue to improve the methods for calculating costs of support services, including through a framework for cost accounting in order to standardize current costing practices, and to report thereon to the General Assembly at its sixty-fifth session;

5. *Also requests* the Secretary-General to include, in the report requested in paragraph 4 of the present section, an analysis of other areas within the support services of the Organization in which cost accounting could be applied.

RESOLUTION 63/263

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/648/Add.4, para. 44)

63/263. Questions relating to the programme budget for the biennium 2008–2009

The General Assembly,

I

Construction of additional conference facilities at the Vienna International Centre and additional office facilities at the Economic Commission for Africa in Addis Ababa, and improvement and modernization of the conference facilities and construction of additional office facilities at the United Nations Office at Nairobi

Recalling its resolution 56/270 of 27 March 2002, section IV of its resolution 58/272 of 23 December 2003 and sections IX and X of its resolution 62/238 of 22 December 2007, *Having considered* the reports of the Secretary-General on improving and modernizing the conference facilities and the construction of additional office facilities at the United Nations Office at Nairobi[119] and on the construction of additional conference facilities at the Vienna International Centre, and the construction of additional office facilities at the Economic Commission for Africa in Addis Ababa,[120] as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,[121]

Mindful of the fact that it is essential to construct, improve and modernize facilities at the Economic Commission for Africa in Addis Ababa, the United Nations Office at Nairobi and the Vienna International Centre to ensure the efficient work of the Organization,

1. *Takes note with appreciation* of the efforts of the Governments of Ethiopia and Kenya, as host countries, in facilitating the construction of additional office facilities at the Economic Commission for Africa in Addis Ababa and the improvement and modernization of the conference facilities and the construction of additional office facilities at the United Nations Office at Nairobi, and of the efforts of the Government of Austria, as host country, in completing the construction of new conference facilities at the Vienna International Centre, as well as in achieving good progress in the asbestos removal project;

2. *Takes note* of the reports of the Secretary-General;[122]

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[121] subject to the provisions of the present resolution;

4. *Underlines* the risks inherent in the execution of construction projects, and stresses the importance of adequate planning, coordination and project supervision to avoid going over budget;

5. *Expresses concern* about the delays and procedural difficulties in the execution of the projects at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi, which are contributing to project cost escalation;

6. *Requests* the Secretary-General to undertake management reviews of the projects at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi with a view to expediting implementation, to ensure that a dedicated project management capacity is in place at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi and to report to the General Assembly thereon in the context of his next annual progress reports;

7. *Emphasizes* the importance of guidance, interaction and coordination between the Secretariat in New York, on the one hand, and the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi, on the other hand, with clear reporting lines;

8. *Requests* the Secretary-General to ensure full accountability for the delays, lack of responsiveness of management to the needs of the construction projects in Addis Ababa and Nairobi and other factors that have contributed to delays in the implementation of the projects and project cost escalation and to include that information in his next annual progress reports;

9. *Stresses* the importance of the leadership and guidance of the Secretary-General and senior management as well as a commitment to the construction projects at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi by all parties concerned during the execution and completion of the projects;

10. *Requests* the Secretary-General to update the Member States through regular informal briefings on the construction projects at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi;

11. *Also requests* the Secretary-General to complete the construction projects at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi as planned, without any further delays or additional requirements from the regular budget, and to ensure that progress is monitored by the Under-Secretary-General for Management, and to report thereon to the General Assembly at its sixty-fourth session;

12. *Further requests* the Secretary-General to ensure that the construction regulations and rules of the Organization, including the provisions of the Convention on the Rights of Persons with Disabilities,[123] are abided by and fully upheld in all phases of the construction projects at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi;

13. *Approves* the revised estimated cost of 25,252,200 United States dollars for the construction of additional office facilities at the United Nations Office at Nairobi;

14. *Also approves* the use of interest income of 798,200 dollars as at 31 December 2007, and further approves the use of future interest income generated by accumulated rental income

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[119] A/62/794.

[120] A/63/303.

[121] A/63/465.

[122] A/62/794 and A/63/303.

[123] Resolution 61/106, annex I.

for the construction of additional office facilities at the United Nations Office at Nairobi;

15. *Further approves* the revised estimated cost of 3,479,000 dollars for improving and modernizing the conference facilities at the United Nations Office at Nairobi;

16. *Requests* the Secretary-General to entrust the Office of Internal Oversight Services with ensuring continuing effective audit coverage as well as regular, thorough management reviews of the construction of additional office facilities at the Economic Commission for Africa in Addis Ababa and the United Nations Office at Nairobi, to be reported on in the annual report of the Office of Internal Oversight Services to the General Assembly;

17. *Recalls* paragraphs 24, 25, 35 and 44 of the report of the Advisory Committee on Administrative and Budgetary Questions,[121] and requests the Secretary-General to submit, in the context of the proposed programme budget for the biennium 2010–2011, information that outlines clearly the interaction between the Secretariat in New York and other duty stations for construction and long-term renovation projects, and that specifies all aspects of the division of responsibility and accountability;

II

Revised estimates relating to the Rule of Law Unit

Having considered the report of the Secretary-General on the revised estimates under the programme budget for the biennium 2008–2009 for the Rule of Law Unit[124] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[125]

1. *Takes note* of the report of the Secretary-General;[124]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[125] subject to the provisions of the present resolution;

3. *Decides* to establish one P-5, two P-4 and one P-3 posts for the Rule of Law Unit, effective 1 January 2009;

4. *Requests* the Secretary-General to ensure that the Director of the Unit continues to be provided, for 2009, through secondment;

5. *Decides* to revert to this issue in the context of the proposed programme budget for the biennium 2010–2011;

III

Administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2008

Recalling its resolution 63/251 of 24 December 2008, entitled "United Nations common system: report of the International Civil Service Commission",

Takes note of the statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly[126] on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2008[127] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[128]

IV

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2008

Takes note of the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2008,[129] and endorses the related report of the Advisory Committee on Administrative and Budgetary Questions;[130]

V

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its seventh, eighth and ninth sessions, proposals to improve the procedure for presenting to the General Assembly the financial requirements arising from the resolutions and decisions of the Council, and a consolidated statement on resolutions and decisions adopted by the Council arising from its continuing review of its subsidiary machinery and related programme budget implications

Having considered the reports of the Secretary-General[131] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[132]

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[124] A/63/154.

[125] A/63/594.

[126] A/63/360.

[127] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 30* (A/63/30).

[128] A/63/501.

[129] A/63/371.

[130] A/63/567.

[131] A/63/541 and Add.1 and A/63/587.

[132] A/63/629.

1. *Takes note* of the reports of the Secretary-General;[131]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[132]

VI

Revised estimates resulting from the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

Having considered the report of the Secretary-General[133] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[134]

1. *Takes note* of the report of the Secretary-General;[133]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[134]

VII

Review of the lump-sum arrangement of the Office of the United Nations High Commissioner for Refugees

Having considered the report of the Secretary-General[135] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[136]

1. *Takes note* of the report of the Secretary-General;[135]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[136]

VIII

Human resources management

Recalling section II of its resolution 63/250 of 24 December 2008,

1. *Decides* to approve, in connection with the harmonization of contractual arrangements, an additional appropriation in the amount of 13,165,400 dollars under section 3, Political affairs, of the programme budget for the biennium 2008–2009;

2. *Requests* the Secretary-General to include a total amount of 80,900,900 dollars in the respective budgets of the affected peacekeeping missions for the period from 1 July 2009 to 30 June 2010;

IX

Administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board

Having considered the report of the Secretary-General[137] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[138]

1. *Takes note* of the report of the Secretary-General;[137]

2. *Requests* the Secretary-General to report on any additional requirements arising from the recommendations of the United Nations Joint Staff Pension Board in the context of the second performance report on the programme budget for the biennium 2008–2009;

X

Revised estimates under section 32, Construction, alteration, improvement and major maintenance, of the programme budget for the biennium 2008–2009, relating to the provision of an integrated headquarters facility for the United Nations Assistance Mission for Iraq, in Baghdad

Recalling its resolutions 62/237 A and 62/238 of 22 December 2007,

Having considered the report of the Secretary-General on the revised estimates under section 3, Political affairs, and section 32, Construction, alteration, improvement and major maintenance, of the programme budget for the biennium 2008–2009, relating to the provision of an integrated headquarters facility for the United Nations Assistance Mission for Iraq, in Baghdad,[139] the relevant parts of the report of the Secretary-General on the estimates in respect of the United Nations Assistance Mission for Iraq[140] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[141]

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[133] A/63/583.

[134] A/63/628.

[135] A/63/537.

[136] A/63/616.

[137] A/63/363.

[138] A/63/556.

[139] A/62/828.

[140] A/63/346 and Corr.1 and Add.5.

[141] A/63/601.

1. *Takes note* of the report of the Secretary-General on the revised estimates under section 3, Political affairs, and section 32, Construction, alteration, improvement and major maintenance, of the programme budget for the biennium 2008–2009, relating to the provision of an integrated headquarters facility for the United Nations Assistance Mission for Iraq, in Baghdad;[139]

2. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions,[141] subject to the provisions of the present resolution;

3. *Welcomes* the contribution of the Government of Iraq, and recognizes the importance of the proposal for the construction of a purpose-built integrated headquarters for the United Nations Assistance Mission for Iraq;

4. *Approves* commitment authority for 2009 for the United Nations Assistance Mission for Iraq in the amount of 5 million dollars under section 32 of the programme budget for the biennium 2008–2009 to undertake design work in connection with the construction of the United Nations integrated compound in Baghdad;

5. *Emphasizes* the importance of ensuring that the project is based on accurate assumptions and that its planning phase takes into account the experience of the execution of other construction projects in the United Nations and also of ensuring proper accountability with regard to the implementation of the project;

6. *Requests* the Secretary-General to submit a new, complete and detailed proposal for the construction of the United Nations integrated compound in Baghdad, under section 32 of the programme budget, for its consideration early in the second part of its resumed sixty-third session, with detailed comprehensive financial requirements and clear timelines for the different phases of its implementation;

XI

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Recalling its resolutions 62/237 A and 62/238 of 22 December 2007 and 62/245 of 3 April 2008,

Having considered the reports of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council[142] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[143]

1. *Takes note* of the reports of the Secretary-General;[142]

2. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions,[143] subject to the provisions of the present resolution;

3. *Regrets* that the timing of the presentation of the report of the Secretary-General to the Fifth Committee was delayed until the last week of the main part of the sixty-third session of the General Assembly, and requests the Secretary-General to present future budget proposals for the special political missions no later than the last week of October;

4. *Requests* the Secretary-General to revise the narrative and the logical framework of the budget for the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004), taking into account recent developments and the concerns raised by Member States, and to submit a report thereon to the General Assembly before the first part of its resumed sixty-third session;

5. *Takes note* of paragraph 94 of the report of the Advisory Committee on Administrative and Budgetary Questions,[143] and decides to establish one Political Affairs Officer position at the P-3 level and five Local level positions;

6. *Also takes note* of paragraph 158 of the report of the Advisory Committee on Administrative and Budgetary Questions,[143] and decides to reclassify the Chief Technical Adviser position from the D-1 to the D-2 level;

7. *Decides* to establish a position at the P-5 level, instead of one at the P-4 level, in the Office of the Special Adviser to the Secretary-General on Cyprus;

8. *Approves* budgets totalling 429,497,600 dollars for the twenty-seven special political missions authorized by the General Assembly and/or the Security Council presented in table 1 of the report of the Secretary-General;[144]

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[142] A/63/346 and Corr.1 and Add.1 and Corr.1 and 2 and Add.2–5.

[143] A/63/593.

[144] A/63/346 and Corr.1.

9. *Takes note* of the estimated unencumbered balance of 15,850,800 dollars;

10. *Decides* to appropriate, after taking into account the estimated unencumbered balance of 15,850,800 dollars, under the procedures provided for in paragraph 11 of annex I to resolution 41/213 of 19 December 1986, an amount of 413,646,800 dollars under section 3, Political affairs, of the programme budget for the biennium 2008–2009;

11. *Also decides* to appropriate an amount of 26,432,000 dollars under section 35, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008–2009;

XII

First performance report on the programme budget for the biennium 2008–2009

Having considered the first performance report of the Secretary-General on the programme budget for the biennium 2008–2009[145] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[146]

Recalling its resolutions 62/237 A and B of 22 December 2007 and 62/245 of 3 April 2008,

Taking note of the current challenges caused by the global financial crisis,

1. *Reaffirms* the budgetary process as approved in its resolution 41/213 and reaffirmed in subsequent resolutions;

2. *Takes note* of the first performance report of the Secretary-General on the programme budget for the biennium 2008–2009,[145] and endorses the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report,[146] subject to the provisions of the present resolution;

3. *Also takes note* of paragraph 5 of the report of the Advisory Committee on Administrative and Budgetary Questions,[146] and emphasizes that the content of the first performance report should be limited, in principle, to a description of parameter changes endorsed by the General Assembly;

4. *Endorses* paragraph 11 of the report of the Advisory Committee on Administrative and Budgetary Questions,[146] and requests the Secretary-General to explore the recosting methodologies used by other international organizations with that used by the Secretariat, taking into account the unique nature of the United Nations, and to report thereon to the General Assembly in the context of the second performance report on the programme budget for the biennium 2008–2009;

5. *Recalls* section III, paragraph 6, of its resolution 60/283 of 7 July 2006, and requests the Secretary-General to implement the provisions of that paragraph and to report to the General Assembly thereon in the context of the second performance report on the programme budget for the biennium 2008–2009;

6. *Approves* a net increase of 174 million dollars in the appropriation approved for the biennium 2008–2009 and a net increase of 6.8 million dollars in the estimates of income for the biennium, to be apportioned among expenditure and income sections as indicated in the report of the Secretary-General;[145]

7. *Decides* to apportion among Member States 129 million dollars for expenses related to the first performance report on the programme budget for the biennium 2008–2009;

8. *Approves* up to 45 million dollars for expenses relating to the first performance report on the programme budget for the biennium 2008–2009, upon the receipt by the President of the General Assembly of a letter from the Secretary-General, to be apportioned among Member States, as an exception to regulation 3.3 of the Financial Regulations and Rules of the United Nations;[147]

9. *Stresses*, bearing in mind the third preambular paragraph of the present section, that the provisions of paragraph 8 constitute an exceptional measure;

XIII

Contingency fund

Notes that a balance of 5,122,000 dollars remains in the contingency fund.[148]

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[145] A/63/573.

[146] A/63/620.

[147] ST/SGB/2003/7.

[148] A/C.5/63/20.

RESOLUTIONS 63/264 A-C

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/648/Add.4, para. 44)

63/264. Programme budget for the biennium 2008–2009

A

REVISED BUDGET APPROPRIATIONS FOR THE BIENNIUM 2008–2009

The General Assembly

Resolves that, for the biennium 2008–2009, the amount of 4,207,608,400 United States dollars appropriated by it in its resolutions 62/237 A of 22 December 2007 and 62/245 of 3 April 2008 shall be adjusted by 657,471,800 dollars, as follows:

Section		*Amount approved in resolutions 62/237 A and 62/245*	*Increase/ (decrease)*	*Revised appropriations*
			(United States dollars)	
	Part I. *Overall policymaking, direction and coordination*			
1.	Overall policymaking, direction and coordination	89 215 800	5 346 300	94 562 100
2.	General Assembly and Economic and Social Council affairs and conference management	629 339 800	32 921 300	662 261 100
	Total, part I	**718 555 600**	**38 267 600**	**756 823 200**
	Part II. *Political affairs*			
3.	Political affairs	527 240 800	435 341 900	962 582 700
4.	Disarmament	21 607 900	851 800	22 459 700
5.	Peacekeeping operations	101 412 700	4 375 800	105 788 500
6.	Peaceful uses of outer space	7 439 800	202 500	7 642 300
	Total, part II	**657 701 200**	**440 772 000**	**1 098 473 200**
	Part III. *International justice and law*			
7.	International Court of Justice	41 200 400	3 927 300	45 127 700
8.	Legal affairs	46 069 000	1 639 200	47 708 200
	Total, part III	**87 269 400**	**5 566 500**	**92 835 900**
	Part IV. *International cooperation for development*			
9.	Economic and social affairs	158 384 800	7 149 600	165 534 400
10.	Least developed countries, landlocked developing countries and small island developing States	5 440 400	422 500	5 862 900
11.	United Nations support for the New Partnership for Africa's Development	11 641 900	566 200	12 208 100
12.	Trade and development	123 746 100	9 348 500	133 094 600
13.	International Trade Centre UNCTAD/WTO	28 099 800	2 773 900	30 873 700
14.	Environment	13 796 600	263 200	14 059 800
15.	Human settlements	20 520 800	280 800	20 801 600
16.	International drug control, crime and terrorism prevention and criminal justice	36 819 000	756 900	37 575 900
	Total, part IV	**398 449 400**	**21 561 600**	**420 011 000**

Section		*Amount approved in resolutions 62/237 A and 62/245*	*Increase/ (decrease)*	*Revised appropriations*
		(United States dollars)		
	Part V. *Regional cooperation for development*			
17.	Economic and social development in Africa	119 798 200	8 843 900	128 642 100
18.	Economic and social development in Asia and the Pacific	83 926 400	8 489 400	92 415 800
19.	Economic development in Europe	59 917 100	4 809 200	64 726 300
20.	Economic and social development in Latin America and the Caribbean	104 445 000	(1 285 700)	103 159 300
21.	Economic and social development in Western Asia	58 107 500	6 611 200	64 718 700
22.	Regular programme of technical cooperation	50 951 400	3 881 100	54 832 500
	Total, part V	**477 145 600**	**31 349 100**	**508 494 700**
	Part VI. *Human rights and humanitarian affairs*			
23.	Human rights	116 938 400	10 414 800	127 353 200
24.	International protection, durable solutions and assistance to refugees	73 069 300	6 936 200	80 005 500
25.	Palestine refugees	40 727 500	4 342 600	45 070 100
26.	Humanitarian assistance	28 492 300	1 369 500	29 861 800
	Total, part VI	**259 227 500**	**23 063 100**	**282 290 600**
	Part VII. *Public information*			
27.	Public information	184 000 500	5 374 100	189 374 600
	Total, part VII	**184 000 500**	**5 374 100**	**189 374 600**
	Part VIII. *Common support services*			
28A.	Office of the Under-Secretary-General for Management	15 002 500	591 400	15 593 900
28B.	Office of Programme Planning, Budget and Accounts	39 169 900	1 475 800	40 645 700
28C.	Office of Human Resources Management	70 688 100	2 360 600	73 048 700
28D.	Office of Central Support Services	236 300 100	(25 211 700)	211 088 400
28E.	Administration, Geneva	112 185 000	9 862 100	122 047 100
28F.	Administration, Vienna	39 019 800	632 600	39 652 400
28G.	Administration, Nairobi	27 838 900	(196 700)	27 642 200
36.	Office of Information and Communications Technology	—	37 031 600	37 031 600
	Total, part VIII	**540 204 300**	**26 545 700**	**566 750 000**
	Part IX. *Internal oversight*			
29.	Internal oversight	35 997 700	1 485 000	37 482 700
	Total, part IX	**35 997 700**	**1 485 000**	**37 482 700**

Section		Amount approved in resolutions 62/237 A and 62/245	Increase/ (decrease)	Revised appropriations
		(United States dollars)		
	Part X. *Jointly financed administrative activities and special expenses*			
30.	Jointly financed administrative activities	11 459 300	996 100	12 455 400
31.	Special expenses	97 011 600	3 361 100	100 372 700
	Total, part X	**108 470 900**	**4 357 200**	**112 828 100**
	Part XI. *Capital expenditures*			
32.	Construction, alteration, improvement and major maintenance	58 782 600	3 416 800	62 199 400
	Total, part XI	**58 782 600**	**3 416 800**	**62 199 400**
	Part XII. *Safety and security*			
33.	Safety and security	197 169 300	10 756 600	207 925 900
	Total, part XII	**197 169 300**	**10 756 600**	**207 925 900**
	Part XIII. *Development Account*			
34.	Development Account	18 651 300	—	18 651 300
	Total, part XIII	**18 651 300**	**—**	**18 651 300**
	Part XIV. *Staff assessment*			
35.	Staff assessment	465 983 100	44 956 500	510 939 600
	Total, part XIV	**465 983 100**	**44 956 500**	**510 939 600**
	Grand total	**4 207 608 400**	**657 471 800**	**4 865 080 200**

B

REVISED INCOME ESTIMATES FOR THE BIENNIUM 2008–2009

The General Assembly

Resolves that, for the biennium 2008–2009, the estimates of income of 520,077,700 United States dollars approved by it in its resolutions 62/237 B of 22 December 2007 and 62/245 of 3 April 2008 shall be increased by 35,198,700 dollars, as follows:

Income section		Amount approved in resolutions 62/237 B and 62/245	Increase/ (decrease)	Revised estimates
		(United States dollars)		
1.	Income from staff assessment	470 397 500	45 148 000	515 545 500
	Total, income section 1	**470 397 500**	**45 148 000**	**515 545 500**
2.	General income	47 946 900	(10 195 900)	37 751 000
3.	Services to the public	1 733 300	246 600	1 979 900
	Total, income sections 2 and 3	**49 680 200**	**(9 949 300)**	**39 730 900**
	Grand total	**520 077 700**	**35 198 700**	**555 276 400**

C

FINANCING OF THE APPROPRIATIONS FOR THE YEAR 2009

The General Assembly

Resolves that, for the year 2009:

1. Budget appropriations totalling 2,779,400,350 United States dollars and consisting of 2,085,679,850 dollars, being half of the appropriation initially approved for the biennium 2008–2009 in its resolution 62/237 A of 22 December 2007, 36,248,700 dollars, being the additional appropriation approved for the biennium in its resolution 62/245 of 3 April 2008, and 657,471,800 dollars, being the increase approved in resolution A above, shall be financed in accordance with regulations 3.1 and 3.2 of the Financial Regulations and Rules of the United Nations,[149] as follows:

(*a*) 14,890,800 dollars, consisting of:

(i) 24,840,100 dollars, being half of the estimated income other than staff assessment income approved for the biennium in its resolution 62/237 B of 22 December 2007;

(ii) 9,949,300 dollars, being the decrease in income other than staff assessment income approved for the biennium in resolution B above;

(*b*) 2,764,509,550 dollars, being the assessment on Member States in accordance with its resolution 61/237 of 22 December 2006, of which 45 million dollars is subject to assessment in accordance with paragraph 8 of section XII of resolution 63/263 of 24 December 2008;

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of 283,193,400 dollars, consisting of:

(*a*) 232,890,200 dollars, being half of the estimated staff assessment income approved by the Assembly in its resolution 62/237 B;

(*b*) 4,617,100 dollars, being the estimated increase in income from staff assessment approved by the Assembly in its resolution 62/245;

(*c*) 45,148,000 dollars, being the estimated increase in income from staff assessment approved by the Assembly in resolution B above;

(*d*) 538,100 dollars, being the increase in income from staff assessment for the biennium 2006–2007 compared with the revised estimates approved by the Assembly in its resolution 62/235 B of 22 December 2007.

RESOLUTION 63/265

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/658, para. 6)

63/265. Report of the Office of Internal Oversight Services on its activities

The General Assembly,

I

Activities of the Office of Internal Oversight Services

Recalling its resolutions 48/218 B of 29 July 1994, 54/244 of 23 December 1999, 59/272 of 23 December 2004 and 60/259 of 8 May 2006,

Having considered the report of the Office of Internal Oversight Services on its activities[150] and the related note by the Secretary-General,[151] as well as sections III.A to C of the annual report of the Independent Audit Advisory Committee,[152]

1. *Reaffirms* its primary role in the consideration of and action taken on reports submitted to it;

2. *Also reaffirms* its oversight role and the role of the Fifth Committee in administrative and budgetary matters;

3. *Further reaffirms* the independence and the separate and distinct roles of the internal and external oversight mechanisms;

4. *Notes with appreciation* the work of the Independent Audit Advisory Committee;

5. *Recalls* its resolution 61/275 of 29 June 2007, in which it approved the terms of reference of the Independent Audit Advisory Committee;

6. *Takes note* of the report of the Office of Internal Oversight Services on its activities[150] and the related note by the Secretary-General;[151]

7. *Stresses* the importance of full implementation of accepted recommendations of the Office of Internal Oversight Services, and requests the Secretary-General to ensure that complete information is provided on the implementation of those recommendations and, where applicable, in cases where full implementation has not been achieved, detailed reasons therefor;

8. *Requests* the Secretary-General to ensure that all relevant resolutions, such as resolutions on peacekeeping

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[149] ST/SGB/2003/7.

[150] A/63/302 (Part I) and Add.1.

[151] A/63/302 (Part I)/Add.2.

[152] A/63/328.

operations relating to cross-cutting issues, are brought to the attention of relevant managers, and that the Office of Internal Oversight Services also takes those resolutions into account in the conduct of its activities;

9. *Also requests*, in this regard, the Secretary-General to ensure that all relevant resolutions pertaining to the work of the Office of Internal Oversight Services are brought to the attention of the relevant managers;

10. *Takes note* of the recommendations contained in sections III.A to C of the annual report of the Independent Audit Advisory Committee in respect of the Office of Internal Oversight Services,[152] and requests the Secretary-General to ensure the full implementation of those recommendations, taking into account the provisions of its resolutions 48/218 B, 54/244 and 59/272;

11. *Encourages* United Nations internal and external oversight bodies to enhance the level of their cooperation with one another, such as joint work-planning sessions, without prejudice to the independence of each;

12. *Notes* paragraph 17 of the annual report of the Independent Audit Advisory Committee,[152] and recalls that one of the responsibilities of the Independent Audit Advisory Committee, according to its terms of reference, is to advise the General Assembly on the effectiveness, efficiency and impact of the audit activities and other oversight functions of the Office of Internal Oversight Services;

13. *Also notes* that the five-year non-renewable term of the Under-Secretary-General for Internal Oversight Services will expire in July 2010, and in this respect urges the Secretary-General to ensure that timely arrangements are made to find a successor in full conformity with the provisions of paragraph 5 (*b*) of its resolution 48/218 B;

II

Investigations and the Procurement Task Force of the Office of Internal Oversight Services

Recalling its resolutions 48/218 B of 29 July 1994, 54/244 of 23 December 1999, 57/282, section IV, of 20 December 2002, 59/272 of 23 December 2004, 59/287 of 13 April 2005, 61/245 of 22 December 2006, 61/275 and 61/279 of 29 June 2007, 62/234 of 22 December 2007 and 62/247 of 3 April 2008,

Having considered the reports of the Secretary-General on the information requested in paragraph 17 of its resolution 62/247[153] and on the information-sharing practices between the United Nations and national law enforcement authorities, as well as referrals of possible criminal cases related to United Nations staff, United Nations officials and experts on mission,[154] and the report of the Office of Internal Oversight Services on the activities of the Procurement Task Force for the period from 1 July 2007 to 31 July 2008[155] and the report of the Board of Auditors on the activities of the Procurement Task Force,[156] the related notes by the Secretary-General transmitting his comments thereon[157] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[158]

1. *Takes note* of the report of the Secretary-General on the information requested in paragraph 17 of General Assembly resolution 62/247;[153]

2. *Also takes note* of the report of the Secretary-General on the information-sharing practices between the United Nations and national law enforcement authorities, as well as referrals of possible criminal cases related to United Nations staff, United Nations officials and experts on mission;[154]

3. *Further takes note* of the report of the Office of Internal Oversight Services on the activities of the Procurement Task Force for the period from 1 July 2007 to 31 July 2008,[155] and the report of the Board of Auditors on the activities of the Procurement Task Force[156] and the related notes by the Secretary-General transmitting his comments thereon;[157]

4. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[158] subject to provisions of the present resolution;

5. *Takes note* of the work of the Procurement Task Force;

6. *Emphasizes* its commitment to preventing and deterring fraud and malfeasance within the Organization, and recognizes that such efforts cannot be sustained in the long term by an ad hoc body;

7. *Recalls* the ad hoc nature of the Procurement Task Force;

8. *Notes* the intention of the Secretary-General to transfer the remaining caseload of the Procurement Task Force of the Office of Internal Oversight Services to the Investigations Division of the Office at the beginning of 2009;

9. *Requests* the Secretary-General to ensure that the Office of Internal Oversight Services has the expertise and capacity within its approved structure to effectively investigate allegations of fraud, corruption and misconduct in procurement;

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[153] A/63/369.

[154] A/63/331.

[155] A/63/329.

[156] See A/63/167.

[157] A/63/329/Add.1 and A/63/167/Add.1.

[158] A/63/492 and A/63/490.

10. *Takes note* of paragraph 12 of the report of the Advisory Committee on Administrative and Budgetary Questions[159] with regard to the specific element of human resources;

11. *Emphasizes* Article 101 of the Charter of the United Nations, reiterates section II of its resolution 61/244 of 22 December 2006, and requests the Secretary-General to ensure the full implementation of the relevant provisions of the Staff Regulations and Rules of the United Nations governing the recruitment of United Nations staff;

12. *Reiterates* that deliberate management decisions to keep a certain number of posts vacant should not be taken, as such action makes the budget process less transparent and the management of human and financial resources less efficient;

13. *Expresses concern* over a number of vacancies in the Investigations Division of the Office of Internal Oversight Services since the beginning of 2008, and requests the Secretary-General to make every effort to fill those vacancies as a matter of priority, in accordance with the existing relevant provisions governing recruitment in the United Nations;

14. *Stresses* that any changes involving administrative and financial implications shall be subject to the review and approval of the General Assembly in accordance with established procedures, including regulation 2.9 of the Financial Regulations and Rules of the United Nations;[160]

15. *Recognizes* that investigations of fraud, corruption and misconduct in procurement are often time-sensitive;

16. *Recalls* paragraph 18 of its resolution 62/247, in which it requested the Secretary-General to prepare for its consideration and approval, in close cooperation with the Office of Internal Oversight Services, a report providing detailed information on terms of reference with regard to the proposed comprehensive review of investigations in the United Nations before the General Assembly decides on the necessity of such a review, taking into account the role and mandate of the Office of Internal Oversight Services as established in its resolution 48/218 B, the framework for investigation adopted in section IV of its resolution 57/282 and in its resolution 59/287, the reform of the system of administration of justice, the decisions of the Assembly to strengthen the investigation function of the Office of Internal Oversight Services and its decisions on the accountability framework, results-based management, enterprise risk management and the internal control framework;

17. *Stresses* that the Office of Internal Oversight Services, in the conduct of its investigations, should fully address and respect the due process rights of staff concerned;

18. *Notes* the work by the Office of Internal Oversight Services to develop a comprehensive investigation manual, revise and expand the key standard operating procedures for investigations and develop a comprehensive investigation learning programme for managers and staff on the investigative process, and stresses the importance of that work being completed and made available to all United Nations personnel as soon as possible;

19. *Requests* the Secretary-General to prepare as soon as possible standardized and consolidated rules and procedures applicable to all investigations in the United Nations other than the investigations conducted by the Office of Internal Oversight Services, and to ensure that such rules and procedures are made available to all United Nations personnel and to provide information thereon to the General Assembly at its sixty-fourth session, without prejudice to paragraph 18 of its resolution 62/247;

20. *Stresses* the importance of effective implementation, including referrals to national authorities and recovery actions where appropriate, of the accepted recommendations of the Office of Internal Oversight Services, as well as of effective coordination between that Office and other parts of the Secretariat in this regard.

RESOLUTION 63/266

Adopted at the 74th plenary meeting, on 24 December 2008, without a vote, on the recommendation of the Committee (A/63/649, para. 8)

63/266. Proposed programme budget outline for the biennium 2010–2011

The General Assembly,

Reaffirming its resolution 41/213 of 19 December 1986, in which it requested the Secretary-General to submit in off-budget years an outline of the proposed programme budget for the following biennium,

Reaffirming also section VI of its resolution 45/248 B of 21 December 1990,

Reaffirming further rule 153 of its rules of procedure,

Recalling its resolution 58/269 of 23 December 2003,

Having considered the report of the Secretary-General on the proposed programme budget outline for the biennium 2010–2011[161] and the recommendations contained in the related report of the Advisory Committee on Administrative and Budgetary Questions,[162]

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[159] A/63/490.

[160] ST/SGB/2003/7.

[161] A/63/600.

[162] A/63/622.

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[162] subject to the provisions of the present resolution;

3. *Reaffirms* that the proposed programme budget outline shall contain an indication of the following:

(*a*) A preliminary estimate of resources needed to accommodate the proposed programme of activities during the biennium;

(*b*) Priorities, reflecting general trends of a broad sectoral nature;

(*c*) Real growth, positive or negative, compared with the previous budget;

(*d*) Size of the contingency fund expressed as a percentage of the overall level of resources;

4. *Also reaffirms* that the budget outline should provide a greater level of predictability of resources required for the following biennium and promote greater involvement of Member States in the budgetary process, thereby facilitating the broadest possible agreement on the programme budget;

5. *Further reaffirms* that the budget proposals of the Secretary-General should reflect resource levels commensurate with mandates for their full, efficient and effective implementation;

6. *Requests* the Secretary-General to continue to include in the proposed budget outline and in the proposed programme budget, provisions for expenditures for special political missions related to peace and security that are expected to be extended or approved in the course of the biennium;

7. *Stresses* that the budget outline is a preliminary estimate of resources;

8. *Invites* the Secretary-General to prepare his proposed programme budget for the biennium 2010–2011 on the basis of a preliminary estimate of 4,871,048,700 United States dollars at revised 2008–2009 rates;

9. *Notes* that the preliminary estimates provided by the Secretary-General for the proposed programme budget for the biennium 2010–2011 do not include provisions for the implementation of those requirements that are under discussion by the General Assembly and that the requirements pertinent to the regular budget should be reflected in the programme budget for the biennium 2010–2011, subject to approval by the Assembly and in accordance with its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987;

10. *Welcomes* the information contained in paragraph 8 of the report of the Advisory Committee on Administrative and Budgetary Questions and in the annex thereto;[162]

11. *Notes* the additional information provided in the annex to the report of the Advisory Committee on Administrative and Budgetary Questions,[162] and requests the Secretary-General to provide similar information in an annex to future budget outlines;

12. *Requests* the Secretary-General to include in the report on special political missions an annex containing an updated estimate of the total budget for special political missions for the biennium 2010–2011 for consideration by the General Assembly at the beginning of its sixty-fourth session based on updated projected needs and without prejudging the decisions of the relevant legislative organs of the United Nations;

13. *Reiterates its request* to the Secretary-General to include, in the proposed programme budget for the biennium 2010–2011, the total amount of resources that he should have at his disposal, from all sources of financing, in order to implement fully all mandated programmes and activities;

14. *Emphasizes* that the proposed programme budget outline should be submitted sufficiently early in order to be able to serve as a practical tool in the budget preparation process, and, in this regard, requests the Secretary-General to issue future budget outlines at least thirty days prior to their scheduled introduction, but no later than 15 November of the off-budget year;

15. *Decides* that the proposed programme budget for the biennium 2010–2011 shall contain provisions for recosting on the basis of the existing methodology;

16. *Reaffirms* that the budget outline should be submitted in accordance with the priorities set by the General Assembly;

17. *Decides* that the priorities for the biennium 2010–2011 shall be the following:

(*a*) Promotion of sustained economic growth and sustainable development, in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences;

(*b*) Maintenance of international peace and security;

(*c*) Development of Africa;

(*d*) Promotion of human rights;

(*e*) Effective coordination of humanitarian assistance efforts;

(*f*) Promotion of justice and international law;

(*g*) Disarmament;

(*h*) Drug control, crime prevention and combating international terrorism in all its forms and manifestations;

18. *Notes* that the preliminary indicative estimates contained in the present budget outline do not track precisely the priorities of the General Assembly in certain areas, including in the areas of development;

19. *Requests* the Secretary-General to reflect the priorities outlined in paragraph 17 above when presenting the proposed programme budget for the biennium 2010–2011;

20. *Notes* that the budget proposal will reflect the benefit of further reviews of possible obsolete activities, additional cost-effective measures and simplified procedures and, in this regard, requests the Secretary-General to rigorously pursue this in accordance with regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,[163] and established practices;

21. *Decides* that the contingency fund shall be set at the level of 0.75 per cent of the preliminary estimate, namely, at 36,532,900 dollars, that this amount shall be in addition to the overall level of the preliminary estimate, and that it shall be used in accordance with the procedures for the use and operation of the contingency fund.

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[163] ST/SGB/2000/8.

VII. Resolutions adopted on the reports of the Sixth Committee

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RESOLUTION 63/118

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/436, para. 7)[1]

63/118. Nationality of natural persons in relation to the succession of States

The General Assembly,

Having examined the item entitled "Nationality of natural persons in relation to the succession of States",

Recalling its resolution 54/112 of 9 December 1999, in which it decided to consider at its fifty-fifth session the draft articles on nationality of natural persons in relation to the succession of States prepared by the International Law Commission,

Recalling also its resolution 55/153 of 12 December 2000, the annex to which contains the articles on nationality of natural persons in relation to the succession of States,

Recalling further its resolution 59/34 of 2 December 2004,

Taking into consideration the comments and observations of Governments[2] and the discussion held in the Sixth Committee at the fifty-ninth and sixty-third sessions of the General Assembly[3] on the question of nationality of natural persons in relation to the succession of States, with a view, in particular, to preventing the occurrence of statelessness as a result of a succession of States, as well as on the advisability of elaborating a legal instrument on this question,

Taking note, in this regard, of the efforts made at the regional level towards the elaboration of a legal instrument on the avoidance of statelessness in relation to State succession,

1. *Reiterates its invitation* to Governments to take into account, as appropriate, the provisions of the articles contained in the annex to resolution 55/153, in dealing with issues of nationality of natural persons in relation to the succession of States;

2. *Encourages* States to consider, as appropriate, at the regional or subregional levels, the elaboration of legal instruments regulating questions of nationality of natural persons in relation to the succession of States, with a view, in particular, to preventing the occurrence of statelessness as a result of a succession of States;

3. *Invites* Governments to submit comments concerning the advisability of elaborating a legal instrument on the question of nationality of natural persons in relation to the succession of States, including the avoidance of statelessness as a result of a succession of States;

4. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Nationality of natural persons in relation to the succession of States", with the aim of examining the subject, including the question of the form that might be given to the draft articles.

RESOLUTION 63/119

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/437, para. 10)[4]

63/119. Criminal accountability of United Nations officials and experts on mission

The General Assembly,

Recalling its resolution 59/281 of 29 March 2005, in which it endorsed the recommendation in paragraph 56 of the report of the Special Committee on Peacekeeping Operations[5] that the Secretary-General make available to the United Nations membership a comprehensive report on the issue of sexual exploitation and abuse in United Nations peacekeeping operations,

Noting that the Secretary-General, on 24 March 2005, transmitted to the President of the General Assembly a report of his Adviser concerning sexual exploitation and abuse by United Nations peacekeeping personnel,[6]

Recalling its resolution 59/300 of 22 June 2005 endorsing the recommendation of the Special Committee on Peacekeeping Operations[7] that a group of legal experts be established to provide advice on the best way to proceed so as to ensure that the original intent of the Charter of the United Nations can be achieved, namely that United Nations staff and experts on mission would never be effectively exempt from the consequences of criminal acts committed at their duty station, nor unjustly penalized without due process,

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[1] The draft resolution recommended in the report was introduced in the Committee by the representative of the Democratic Republic of the Congo on behalf of the Bureau.

[2] A/59/180 and Add.1 and 2; and A/63/113.

[3] *Official Records of the General Assembly, Fifty-ninth Session, Sixth Committee*, 15th meeting (A/C.6/59/SR.15), and corrigendum; and ibid., *Sixty-third Session, Sixth Committee*, 11th meeting (A/C.6/63/SR.11), and corrigendum.

[4] The draft resolution recommended in the report was introduced in the Committee by the representative of Greece on behalf of the Bureau.

[5] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part one, chap. III, sect. D.

[6] See A/59/710.

[7] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part two, chap. II, sect. N.

Recognizing the valuable contribution of United Nations officials and experts on mission towards the fulfilment of the principles and purposes of the Charter,

Reaffirming the need to promote and ensure respect for the principles and rules of international law,

Reaffirming also that the present resolution is without prejudice to the privileges and immunities of United Nations officials and experts on mission and the United Nations under international law,

Reaffirming further the obligation of United Nations officials and experts on mission to respect the national laws of the host State, as well as the right of the host State to exercise, where applicable, its criminal jurisdiction, in accordance with the relevant rules of international law and agreements governing operations of United Nations missions,

Deeply concerned by reports of criminal conduct, and conscious that such conduct, if not investigated and, as appropriate, prosecuted, would create the negative impression that United Nations officials and experts on mission operate with impunity,

Reaffirming the need to ensure that all United Nations officials and experts on mission function in a manner that preserves the image, credibility, impartiality and integrity of the United Nations,

Emphasizing that crimes committed by such persons are unacceptable and have a detrimental effect on the fulfilment of the mandate of the United Nations, in particular with respect to the relations between the United Nations and the local population in the host country,

Conscious of the importance of protecting the rights of victims of criminal conduct, as well as ensuring adequate protection for witnesses, and noting the adoption of its resolution 62/214 of 21 December 2007 on the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel,

Emphasizing the need to enhance international cooperation to ensure the criminal accountability of United Nations officials and experts on mission,

Recalling its resolution 61/29 of 4 December 2006, establishing the Ad Hoc Committee on criminal accountability of United Nations officials and experts on mission,

Having considered the report of the Group of Legal Experts established by the Secretary-General pursuant to resolution 59/300[8] and the report of the Ad Hoc Committee,[9] as well as the note by the Secretariat[10] and the report of the Secretary-General[11] on criminal accountability of United Nations officials and experts on mission,

Recalling its resolution 62/63 of 6 December 2007,

Convinced of the need for the United Nations and its Member States to urgently take strong and effective steps to ensure criminal accountability of United Nations officials and experts on mission in the interest of justice,

1. *Expresses its appreciation* for the work done by the Ad Hoc Committee on criminal accountability of United Nations officials and experts on mission and the Working Group of the Sixth Committee on the same subject;

2. *Strongly urges* States to take all appropriate measures to ensure that crimes by United Nations officials and experts on mission do not go unpunished and that the perpetrators of such crimes are brought to justice, without prejudice to the privileges and immunities of such persons and the United Nations under international law, and in accordance with international human rights standards, including due process;

3. *Strongly urges* all States to consider establishing to the extent that they have not yet done so jurisdiction, particularly over crimes of a serious nature, as known in their existing domestic criminal laws, committed by their nationals while serving as United Nations officials or experts on mission, at least where the conduct as defined in the law of the State establishing jurisdiction also constitutes a crime under the laws of the host State;

4. *Encourages* all States to cooperate with each other and with the United Nations in the exchange of information and in facilitating the conduct of investigations and, as appropriate, prosecution of United Nations officials and experts on mission who are alleged to have committed crimes of a serious nature, in accordance with their domestic laws and applicable United Nations rules and regulations, fully respecting due process rights, as well as to consider strengthening the capacities of their national authorities to investigate and prosecute such crimes;

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[8] See A/60/980.

[9] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 54* (A/63/54).

[10] A/62/329.

[11] A/63/260 and Add.1.

5. *Also encourages* all States:

(*a*) To afford each other assistance in connection with criminal investigations or criminal or extradition proceedings in respect of crimes of a serious nature committed by United Nations officials or experts on mission, including assistance in obtaining evidence at their disposal in accordance with their domestic law or any treaties or other arrangements on extradition and mutual legal assistance that may exist between them;

(*b*) In accordance with their domestic law, to explore ways and means of facilitating the possible use of information and material obtained from the United Nations for purposes of criminal proceedings initiated in their territory for the prosecution of crimes of a serious nature committed by United Nations officials and experts on mission, bearing in mind due process considerations;

(*c*) In accordance with their domestic law, to provide effective protection for victims of, witnesses to, and others who provide information in relation to, crimes of a serious nature alleged to have been committed by United Nations officials and experts on mission and to facilitate access by victims to victim assistance programmes, without prejudice to the rights of the alleged offender, including those relating to due process;

(*d*) In accordance with their domestic law, to explore ways and means of responding adequately to requests by host States for support and assistance in order to enhance their capacity to conduct effective investigations in respect of crimes of a serious nature alleged to have been committed by United Nations officials and experts on mission;

6. *Requests* the Secretariat to continue to ensure that requests to Member States seeking personnel to serve as experts on mission make States aware of the expectation that persons who serve in that capacity should meet high standards in their conduct and behaviour and are aware that certain conduct may amount to a crime for which they may be held accountable;

7. *Urges* the Secretary-General to continue to take such other practical measures as are within his authority to strengthen existing training on United Nations standards of conduct, including through predeployment and in-mission induction training for United Nations officials and experts on mission;

8. *Decides* that the consideration of the report of the Group of Legal Experts,[8] in particular its legal aspects, taking into account the views of Member States and the information contained in the note by the Secretariat,[10] shall be continued during its sixty-fourth session in the framework of a working group of the Sixth Committee;

9. *Requests* the Secretary-General to bring credible allegations that reveal that a crime may have been committed by United Nations officials and experts on mission to the attention of the States against whose nationals such allegations are made, and to request from those States an indication of the status of their efforts to investigate and, as appropriate, prosecute crimes of a serious nature, as well as the types of appropriate assistance States may wish to receive from the Secretariat for the purposes of such investigations and prosecutions;

10. *Requests* the United Nations, when its investigations into allegations suggest that crimes of a serious nature may have been committed by United Nations officials or experts on mission, to consider any appropriate measures that may facilitate the possible use of information and material for purposes of criminal proceedings initiated by States, bearing in mind due process considerations;

11. *Encourages* the United Nations, when allegations against United Nations officials and experts on mission are determined by a United Nations administrative investigation to be unfounded, to take appropriate measures, in the interests of the Organization, to restore the credibility and reputation of such officials and experts on mission;

12. *Urges* the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States;

13. *Emphasizes* that the United Nations, in accordance with the applicable rules of the Organization, should take no action that would retaliate against or intimidate United Nations officials and experts on mission who report allegations concerning crimes of a serious nature committed by United Nations officials and experts on mission;

14. *Takes note with appreciation* of the information provided by Governments in response to its resolution 62/63;

15. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution, in particular with respect to paragraphs 3, 5 and 9 above, as well as any practical problems in its implementation, on the basis of information received from Governments and the Secretariat;

16. *Also requests* the Secretary-General to include in the report information on the number and types of credible allegations and any actions taken by the United Nations and its Member States regarding crimes of a serious nature committed by United Nations officials and experts on mission;

17. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Criminal accountability of United Nations officials and experts on mission".

RESOLUTION 63/120

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/438, para. 12)[12]

63/120. Reports of the United Nations Commission on International Trade Law on the work of its resumed fortieth and its forty-first sessions

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its belief that the progressive modernization and harmonization of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would contribute significantly to universal economic cooperation among all States on a basis of equality, equity, common interest and respect for the rule of law, to the elimination of discrimination in international trade and, thereby, to peace, stability and the well-being of all peoples,

Having considered the reports of the Commission on the work of its resumed fortieth[13] and its forty-first sessions,[14]

Reiterating its concern that activities undertaken by other bodies in the field of international trade law without adequate coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law,

Reaffirming the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field, in particular to avoid duplication of efforts, including among organizations formulating rules of international trade, and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law, and to continue, through its secretariat, to maintain close cooperation with other international organs and organizations, including regional organizations, active in the field of international trade law,

1. *Takes note with appreciation* of the reports of the United Nations Commission on International Trade Law on the work of its resumed fortieth[13] and its forty-first sessions;[14]

2. *Commends* the Commission for the completion and adoption of the Legislative Guide on Secured Transactions;[15]

3. *Also commends* the Commission for the completion and approval of the draft Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea;[16]

4. *Welcomes* the progress made by the Commission in its work on a revision of its Model Law on Procurement of Goods, Construction and Services,[17] on the preparation of a draft legislative guide on the treatment of enterprise groups in insolvency, on the compilation of practical experience with negotiating and using cross-border insolvency agreements to facilitate cross-border insolvency proceedings and on the preparation of an annex to its Legislative Guide on Secured Transactions dealing with security rights in intellectual property, and endorses the decision of the Commission to undertake further work in the area of electronic commerce and commercial fraud;

5. *Also welcomes* the progress made by the Commission in its work on a revision of its Arbitration Rules,[18] and encourages the Commission to complete this work as soon as possible so that the revised Rules may be considered by the Commission at its forty-second session, in 2009;

6. *Endorses* the efforts and initiatives of the Commission, as the core legal body within the United Nations system in the field of international trade law, aimed at increasing coordination of and cooperation on legal activities of international and regional organizations active in the field of international trade law, as well as promoting the rule of law at the national and international levels in this field, and in this regard appeals to relevant international and regional

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[12] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Algeria, Argentina, Australia, Austria, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Egypt, El Salvador, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Montenegro, Morocco, Netherlands, Nigeria, Norway, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

[13] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 17* (A/62/17), part two.

[14] Ibid., *Sixty-third Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1).

[15] Ibid., *Sixty-second Session, Supplement No. 17* (A/62/17), part two, para. 100.

[16] Ibid., *Sixty-third Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1), annex.

[17] Ibid., *Forty-ninth Session, Supplement No. 17* and corrigendum (A/49/17 and Corr.1), annex I.

[18] United Nations publication, Sales No. E.77.V.6.

organizations to coordinate their legal activities with those of the Commission, to avoid duplication of efforts and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law;

7. *Reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with technical assistance and cooperation in the field of international trade law reform and development, and in this connection:

(*a*) Welcomes the initiatives of the Commission towards expanding, through its secretariat, its technical assistance and cooperation programme and, in that respect, encourages the Secretary-General to seek partnerships with State and non-State actors to increase awareness about the work of the Commission and facilitate the effective implementation of legal standards resulting from its work;

(*b*) Expresses its appreciation to the Commission for carrying out technical assistance and cooperation activities, including at the country, subregional and regional levels, and for providing assistance with legislative drafting in the field of international trade law, and draws the attention of the Secretary-General to the limited resources that are made available in this field;

(*c*) Expresses its appreciation to the Governments whose contributions enabled the technical assistance and cooperation activities to take place, and appeals to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in carrying out technical assistance activities, in particular in developing countries;

(*d*) Reiterates its appeal to the United Nations Development Programme and other bodies responsible for development assistance, such as the World Bank and regional development banks, as well as to Governments in their bilateral aid programmes, to support the technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission, in the light of the relevance and importance of the work and programmes of the Commission for promotion of the rule of law at the national and international levels and for the implementation of the United Nations development agenda, including the achievement of the Millennium Development Goals;

8. *Expresses its appreciation* to the Government whose contribution to the trust fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General,[19] enabled renewal of the provision of that assistance, and appeals to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the trust fund in order to increase expert representation from developing countries at sessions of the Commission and its working groups, necessary to build local expertise and capacities in the field of international trade law in those countries to facilitate the development of international trade and the promotion of foreign investment;

9. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the sixty-third session of the General Assembly, its consideration of granting travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

10. *Welcomes*, in the light of the recent increase in membership of the Commission and the number of topics being dealt with by the Commission, the comprehensive review undertaken by the Commission of its working methods, which was started at its last session, with the aim of continuing consideration of the matter during its next sessions and with a view to ensuring the high quality of the work of the Commission and international acceptability of its instruments, and in this regard recalls its previous resolutions related to this matter;[20]

11. *Also welcomes* the discussion by the Commission of its role in promoting the rule of law at the national and international levels, in particular the conviction of the Commission that the implementation and effective use of modern private law standards on international trade are essential for advancing good governance, sustained economic development and the eradication of poverty and hunger and that promotion of the rule of law in commercial relations should be an integral part of the broader agenda of the United Nations to promote the rule of law at the national and international levels, including through the Rule of Law Coordination and Resource Group, supported by the Rule of Law Unit in the Executive Office of the Secretary-General, and the fact that that the Commission is looking forward to being part of strengthened and coordinated activities of the Organization and sees its role in particular as providing assistance to States that seek to promote the rule of law in the area of international and domestic trade and investment;[21]

12. *Further welcomes* the consideration by the Commission of the proposed strategic framework for the period 2010–2011 [22] and its review of the proposed biennial

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[19] Resolution 48/32, para. 5.

[20] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1), paras. 373–381.

[21] Ibid., para. 386.

[22] A/63/6 (Prog. 6).

programme plan for the progressive harmonization, modernization and unification of the law of international trade (subprogramme 5), and takes note that, while the Commission noted with satisfaction that the objectives and expected accomplishments of the Secretariat and the overall strategy for subprogramme 5 were in line with its general policy, the Commission also expressed concern that the resources allotted to the Secretariat under subprogramme 5 were insufficient for it to meet, in particular, the increased demand for technical assistance from developing countries and countries with economies in transition to meet their urgent need for law reform in the field of commercial law, and urged the Secretary-General to take steps to ensure that the comparatively small amount of additional resources necessary to meet a demand so crucial to development are made available promptly;[23]

13. *Recalls* its resolutions on partnerships between the United Nations and non-State actors, in particular the private sector,[24] and its resolutions in which it encouraged the Commission to further explore different approaches to the use of partnerships with non-State actors in the implementation of its mandate, in particular in the area of technical assistance, in accordance with the applicable principles and guidelines and in cooperation and coordination with other relevant offices of the Secretariat, including the Global Compact Office;[25]

14. *Reiterates its request* to the Secretary-General, in conformity with the General Assembly resolutions on documentation-related matters,[26] which, in particular, emphasize that any reduction in the length of documents should not adversely affect either the quality of the presentation or the substance of the documents, to bear in mind the particular characteristics of the mandate and work of the Commission in implementing page limits with respect to the documentation of the Commission;

15. *Requests* the Secretary-General to continue providing summary records of the meetings of the Commission relating to the formulation of normative texts;

16. *Recalls* its resolution approving the establishment of the *Yearbook of the United Nations Commission on International Trade Law*, with the aim of making the work of the Commission more widely known and readily available,[27] expresses its concern regarding the timeliness of the publication of the *Yearbook*, and requests the Secretary-General to explore options to facilitate the timely publication of the *Yearbook*;

17. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end urges States that have not yet done so to consider signing, ratifying or acceding to those conventions;

18. *Welcomes* the preparation of digests of case law relating to the texts of the Commission, such as a digest of case law relating to the United Nations Convention on Contracts for the International Sale of Goods[28] and a digest of case law relating to the Model Law on International Commercial Arbitration of the United Nations Commission on International Trade Law,[29] with the aim of assisting in the dissemination of information on those texts and promoting their use, enactment and uniform interpretation;

19. *Takes note with appreciation* of conferences celebrating the fiftieth anniversary of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards done in New York on 10 June 1958 ("the New York Convention"),[30] the progress made in the ongoing project of the Commission on monitoring the implementation of the New York Convention, the decision of the Commission to develop a guide to enactment of the New York Convention to promote a uniform interpretation and application of the Convention and its decision that, resources permitting, the activities of the secretariat in the context of its technical assistance programme could usefully include dissemination of information on the judicial interpretation of the New York Convention, to complement other activities in support of the Convention;

20. *Recalls* its resolutions affirming the importance of high-quality, user-friendly and cost-effective United Nations websites and the need for their multilingual development, maintenance and enrichment,[31] commends the website of the Commission in the six official languages of the United Nations, and welcomes the continuous efforts of the Commission to maintain and improve its website in accordance with the applicable guidelines;

21. *Expresses its appreciation* to Jernej Sekolec, Secretary of the United Nations Commission on International Trade Law since 2001, who retired on 31 July 2008, for his outstanding and devoted contribution to the process of unification and harmonization of international trade law in general and to the Commission in particular.[32]

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[23] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1), para. 391.

[24] Resolutions 55/215, 56/76, 58/129 and 60/215.

[25] Resolutions 59/39, 60/20 and 61/32.

[26] Resolutions 52/214, sect. B, 57/283 B, sect. III, and 58/250, sect. III.

[27] Resolution 2502 (XXIV), para. 7.

[28] United Nations, *Treaty Series*, vol. 1489, No. 25567.

[29] *Official Records of the General Assembly, Fortieth Session, Supplement No. 17* (A/40/17), annex I.

[30] United Nations, *Treaty Series*, vol. 330, No. 4739.

[31] Resolutions 52/214, sect. C, para. 3; 55/222, sect. III, para. 12; 56/64 B, sect. X; 57/130 B, sect. X; 58/101 B, sect. V, paras. 61–76; 59/126 B, sect. V, paras. 76–95; 60/109 B, sect. IV, paras. 66–80; and 61/121 B, sect. IV, paras. 65–77.

[32] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1), paras. 393 and 394.

RESOLUTION 63/121

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/438, para. 12)[33]

63/121. Legislative Guide on Secured Transactions of the United Nations Commission on International Trade Law

The General Assembly,

Recognizing the importance to all countries of efficient secured transactions regimes promoting access to secured credit,

Recognizing also that access to secured credit is likely to assist all countries, in particular developing countries and countries with economies in transition, in their economic development and in fighting poverty,

Emphasizing the expectation that modern and harmonized secured transactions regimes which balance the interests of all stakeholders (including grantors of security rights, secured and unsecured creditors, retention-of-title sellers and financial lessors, privileged creditors and the insolvency representative in the grantor's insolvency) will demonstrably facilitate access to secured credit, thereby promoting the movement of goods and services across national borders,

Noting that the development of international trade on the basis of equality and mutual benefit is an important element in promoting friendly relations among States,

Taking into account the need for reform in the field of secured transactions laws at both the national and international levels as demonstrated by the numerous current national law reform efforts and the work of international organizations, such as the Hague Conference on Private International Law, the International Institute for the Unification of Private Law and the Organization of American States, and of international financial institutions, such as the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank, the International Monetary Fund and the World Bank,

Expressing its appreciation to intergovernmental and international non-governmental organizations active in the field of secured transactions law reform for their participation in and support for the development of the Legislative Guide on Secured Transactions of the United Nations Commission on International Trade Law,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for the completion and adoption of the Legislative Guide on Secured Transactions;[34]

2. *Requests* the Secretary-General to disseminate broadly the text of the Legislative Guide, transmitting it to Governments and other interested bodies, such as national and international financial institutions and chambers of commerce;

3. *Recommends* that all States give favourable consideration to the Legislative Guide when revising or adopting legislation relevant to secured transactions, and invites States that have used the Legislative Guide to advise the Commission accordingly;

4. *Recommends also* that all States continue to consider becoming party to the United Nations Convention on the Assignment of Receivables in International Trade,[35] the principles of which are also reflected in the Legislative Guide.

RESOLUTION 63/122

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/438, para. 12)[36]

63/122. United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Concerned that the current legal regime governing the international carriage of goods by sea lacks uniformity and fails to adequately take into account modern transport practices, including containerization, door-to-door transport contracts and the use of electronic transport documents,

Noting that the development of international trade on the basis of equality and mutual benefit is an important element in promoting friendly relations among States,

Convinced that the adoption of uniform rules to modernize and harmonize the rules that govern the international carriage of goods involving a sea leg would enhance legal certainty, improve efficiency and commercial predictability in the international carriage of goods and reduce legal obstacles to the flow of international trade among all States,

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[33] The draft resolution recommended in the report was introduced in the Committee by the representative of Austria on behalf of the Bureau.

[34] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 17* (A/62/17), part two, para. 100.

[35] Resolution 56/81, annex.

[36] The draft resolution recommended in the report was introduced in the Committee by the representative of Austria on behalf of the Bureau.

Believing that the adoption of uniform rules to govern international contracts of carriage wholly or partly by sea will promote legal certainty, improve the efficiency of international carriage of goods and facilitate new access opportunities for previously remote parties and markets, thus playing a fundamental role in promoting trade and economic development, both domestically and internationally,

Noting that shippers and carriers do not have the benefit of a binding and balanced universal regime to support the operation of contracts of carriage involving various modes of transport,

Recalling that, at its thirty-fourth and thirty-fifth sessions, in 2001 and 2002, the Commission decided to prepare an international legislative instrument governing door-to-door transport operations that involve a sea leg,[37]

Recognizing that all States and interested international organizations were invited to participate in the preparation of the draft Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea and in the forty-first session of the Commission, either as members or as observers, with a full opportunity to speak and make proposals,

Noting with satisfaction that the text of the draft Convention was circulated for comment to all States Members of the United Nations and intergovernmental organizations invited to attend the meetings of the Commission as observers, and that the comments received were before the Commission at its forty-first session,[38]

Taking note with satisfaction of the decision of the Commission at its forty-first session to submit the draft Convention to the General Assembly for its consideration,[39]

Taking note of the draft Convention approved by the Commission,[40]

Expressing its appreciation to the Government of the Netherlands for its offer to host a signing ceremony for the Convention in Rotterdam,

1. *Commends* the United Nations Commission on International Trade Law for preparing the draft Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea;

2. *Adopts* the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, contained in the annex to the present resolution;

3. *Authorizes* a ceremony for the opening for signature to be held on 23 September 2009 in Rotterdam, the Netherlands, and recommends that the rules embodied in the Convention be known as "the Rotterdam Rules";

4. *Calls upon* all Governments to consider becoming party to the Convention.

Annex

United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea

The States Parties to this Convention,

Reaffirming their belief that international trade on the basis of equality and mutual benefit is an important element in promoting friendly relations among States,

Convinced that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, significantly contributes to universal economic cooperation among all States on a basis of equality, equity and common interest, and to the well-being of all peoples,

Recognizing the significant contribution of the International Convention for the Unification of Certain Rules of Law relating to Bills of Lading, signed in Brussels on 25 August 1924, and its Protocols, and of the United Nations Convention on the Carriage of Goods by Sea, signed in Hamburg on 31 March 1978, to the harmonization of the law governing the carriage of goods by sea,

Mindful of the technological and commercial developments that have taken place since the adoption of those conventions and of the need to consolidate and modernize them,

Noting that shippers and carriers do not have the benefit of a binding universal regime to support the operation of contracts of maritime carriage involving other modes of transport,

Believing that the adoption of uniform rules to govern international contracts of carriage wholly or partly by sea will promote legal certainty, improve the efficiency of international carriage of goods and facilitate new access opportunities for previously remote parties and markets, thus playing a fundamental role in promoting trade and economic development, both domestically and internationally,

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[37] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 17* and corrigendum (A/56/17 and Corr.3), paras. 319–345; and ibid., *Fifty-seventh Session, Supplement No. 17* (A/57/17), paras. 210–224.

[38] A/CN.9/658 and Add.1–14 and Add.14/Corr.1.

[39] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 17* and corrigendum (A/63/17 and Corr.1), para. 298.

[40] Ibid., annex I.

Have agreed as follows:

Chapter 1
General provisions

Article 1
Definitions

For the purposes of this Convention:

1. "Contract of carriage" means a contract in which a carrier, against the payment of freight, undertakes to carry goods from one place to another. The contract shall provide for carriage by sea and may provide for carriage by other modes of transport in addition to the sea carriage.

2. "Volume contract" means a contract of carriage that provides for the carriage of a specified quantity of goods in a series of shipments during an agreed period of time. The specification of the quantity may include a minimum, a maximum or a certain range.

3. "Liner transportation" means a transportation service that is offered to the public through publication or similar means and includes transportation by ships operating on a regular schedule between specified ports in accordance with publicly available timetables of sailing dates.

4. "Non-liner transportation" means any transportation that is not liner transportation.

5. "Carrier" means a person that enters into a contract of carriage with a shipper.

6. (*a*) "Performing party" means a person other than the carrier that performs or undertakes to perform any of the carrier's obligations under a contract of carriage with respect to the receipt, loading, handling, stowage, carriage, care, unloading or delivery of the goods, to the extent that such person acts, either directly or indirectly, at the carrier's request or under the carrier's supervision or control.

(*b*) "Performing party" does not include any person that is retained, directly or indirectly, by a shipper, by a documentary shipper, by the controlling party or by the consignee instead of by the carrier.

7. "Maritime performing party" means a performing party to the extent that it performs or undertakes to perform any of the carrier's obligations during the period between the arrival of the goods at the port of loading of a ship and their departure from the port of discharge of a ship. An inland carrier is a maritime performing party only if it performs or undertakes to perform its services exclusively within a port area.

8. "Shipper" means a person that enters into a contract of carriage with a carrier.

9. "Documentary shipper" means a person, other than the shipper, that accepts to be named as "shipper" in the transport document or electronic transport record.

10. "Holder" means:

(*a*) A person that is in possession of a negotiable transport document; and (i) if the document is an order document, is identified in it as the shipper or the consignee, or is the person to which the document is duly endorsed; or (ii) if the document is a blank endorsed order document or bearer document, is the bearer thereof; or

(*b*) The person to which a negotiable electronic transport record has been issued or transferred in accordance with the procedures referred to in article 9, paragraph 1.

11. "Consignee" means a person entitled to delivery of the goods under a contract of carriage or a transport document or electronic transport record.

12. "Right of control" of the goods means the right under the contract of carriage to give the carrier instructions in respect of the goods in accordance with chapter 10.

13. "Controlling party" means the person that pursuant to article 51 is entitled to exercise the right of control.

14. "Transport document" means a document issued under a contract of carriage by the carrier that:

(*a*) Evidences the carrier's or a performing party's receipt of goods under a contract of carriage; and

(*b*) Evidences or contains a contract of carriage.

15. "Negotiable transport document" means a transport document that indicates, by wording such as "to order" or "negotiable" or other appropriate wording recognized as having the same effect by the law applicable to the document, that the goods have been consigned to the order of the shipper, to the order of the consignee, or to bearer, and is not explicitly stated as being "non-negotiable" or "not negotiable".

16. "Non-negotiable transport document" means a transport document that is not a negotiable transport document.

17. "Electronic communication" means information generated, sent, received or stored by electronic, optical, digital or similar means with the result that the information communicated is accessible so as to be usable for subsequent reference.

18. "Electronic transport record" means information in one or more messages issued by electronic communication under a contract of carriage by a carrier, including information logically associated with the electronic transport record by attachments or otherwise linked to the electronic transport record contemporaneously with or subsequent to its issue by the carrier, so as to become part of the electronic transport record, that:

(*a*) Evidences the carrier's or a performing party's receipt of goods under a contract of carriage; and

(*b*) Evidences or contains a contract of carriage.

19. "Negotiable electronic transport record" means an electronic transport record:

(*a*) That indicates, by wording such as "to order", or "negotiable", or other appropriate wording recognized as having the same effect by the law applicable to the record, that the goods have been consigned to the order of the shipper or to the order of the consignee, and is not explicitly stated as being "non-negotiable" or "not negotiable"; and

(*b*) The use of which meets the requirements of article 9, paragraph 1.

20. "Non-negotiable electronic transport record" means an electronic transport record that is not a negotiable electronic transport record.

21. The "issuance" of a negotiable electronic transport record means the issuance of the record in accordance with procedures that ensure that the record is subject to exclusive control from its creation until it ceases to have any effect or validity.

22. The "transfer" of a negotiable electronic transport record means the transfer of exclusive control over the record.

23. "Contract particulars" means any information relating to the contract of carriage or to the goods (including terms, notations, signatures and endorsements) that is in a transport document or an electronic transport record.

24. "Goods" means the wares, merchandise, and articles of every kind whatsoever that a carrier undertakes to carry under a contract of carriage and includes the packing and any equipment and container not supplied by or on behalf of the carrier.

25. "Ship" means any vessel used to carry goods by sea.

26. "Container" means any type of container, transportable tank or flat, swapbody, or any similar unit load used to consolidate goods, and any equipment ancillary to such unit load.

27. "Vehicle" means a road or railroad cargo vehicle.

28. "Freight" means the remuneration payable to the carrier for the carriage of goods under a contract of carriage.

29. "Domicile" means (*a*) a place where a company or other legal person or association of natural or legal persons has its (i) statutory seat or place of incorporation or central registered office, whichever is applicable, (ii) central administration or (iii) principal place of business, and (*b*) the habitual residence of a natural person.

30. "Competent court" means a court in a Contracting State that, according to the rules on the internal allocation of jurisdiction among the courts of that State, may exercise jurisdiction over the dispute.

Article 2
Interpretation of this Convention

In the interpretation of this Convention, regard is to be had to its international character and to the need to promote uniformity in its application and the observance of good faith in international trade.

Article 3
Form requirements

The notices, confirmation, consent, agreement, declaration and other communications referred to in articles 19, paragraph 2; 23, paragraphs 1 to 4; 36, subparagraphs 1 (*b*), (*c*) and (*d*); 40, subparagraph 4 (*b*); 44; 48, paragraph 3; 51, subparagraph 1 (*b*); 59, paragraph 1; 63; 66; 67, paragraph 2; 75, paragraph 4; and 80, paragraphs 2 and 5, shall be in writing. Electronic communications may be used for these purposes, provided that the use of such means is with the consent of the person by which it is communicated and of the person to which it is communicated.

Article 4
Applicability of defences and limits of liability

1. Any provision of this Convention that may provide a defence for, or limit the liability of, the carrier applies in any judicial or arbitral proceeding, whether founded in contract, in tort, or otherwise, that is instituted in respect of loss of, damage to, or delay in delivery of goods covered by a contract of carriage or for the breach of any other obligation under this Convention against:

(*a*) The carrier or a maritime performing party;

(*b*) The master, crew or any other person that performs services on board the ship; or

(*c*) Employees of the carrier or a maritime performing party.

2. Any provision of this Convention that may provide a defence for the shipper or the documentary shipper applies in any judicial or arbitral proceeding, whether founded in contract, in tort, or otherwise, that is instituted against the shipper, the documentary shipper, or their subcontractors, agents or employees.

Chapter 2
Scope of application

Article 5
General scope of application

1. Subject to article 6, this Convention applies to contracts of carriage in which the place of receipt and the place of delivery are in different States, and the port of loading of a sea carriage and the port of discharge of the same sea carriage are in

different States, if, according to the contract of carriage, any one of the following places is located in a Contracting State:

(*a*) The place of receipt;

(*b*) The port of loading;

(*c*) The place of delivery; or

(*d*) The port of discharge.

2. This Convention applies without regard to the nationality of the vessel, the carrier, the performing parties, the shipper, the consignee, or any other interested parties.

Article 6
Specific exclusions

1. This Convention does not apply to the following contracts in liner transportation:

(*a*) Charter parties; and

(*b*) Other contracts for the use of a ship or of any space thereon.

2. This Convention does not apply to contracts of carriage in non-liner transportation except when:

(*a*) There is no charter party or other contract between the parties for the use of a ship or of any space thereon; and

(*b*) A transport document or an electronic transport record is issued.

Article 7
Application to certain parties

Notwithstanding article 6, this Convention applies as between the carrier and the consignee, controlling party or holder that is not an original party to the charter party or other contract of carriage excluded from the application of this Convention. However, this Convention does not apply as between the original parties to a contract of carriage excluded pursuant to article 6.

Chapter 3
Electronic transport records

Article 8
Use and effect of electronic transport records

Subject to the requirements set out in this Convention:

(*a*) Anything that is to be in or on a transport document under this Convention may be recorded in an electronic transport record, provided the issuance and subsequent use of an electronic transport record is with the consent of the carrier and the shipper; and

(*b*) The issuance, exclusive control, or transfer of an electronic transport record has the same effect as the issuance, possession, or transfer of a transport document.

Article 9
Procedures for use of negotiable electronic transport records

1. The use of a negotiable electronic transport record shall be subject to procedures that provide for:

(*a*) The method for the issuance and the transfer of that record to an intended holder;

(*b*) An assurance that the negotiable electronic transport record retains its integrity;

(*c*) The manner in which the holder is able to demonstrate that it is the holder; and

(*d*) The manner of providing confirmation that delivery to the holder has been effected, or that, pursuant to articles 10, paragraph 2, or 47, subparagraphs 1 (*a*) (ii) and (*c*), the electronic transport record has ceased to have any effect or validity.

2. The procedures in paragraph 1 of this article shall be referred to in the contract particulars and be readily ascertainable.

Article 10
Replacement of negotiable transport document or negotiable electronic transport record

1. If a negotiable transport document has been issued and the carrier and the holder agree to replace that document by a negotiable electronic transport record:

(*a*) The holder shall surrender the negotiable transport document, or all of them if more than one has been issued, to the carrier;

(*b*) The carrier shall issue to the holder a negotiable electronic transport record that includes a statement that it replaces the negotiable transport document; and

(*c*) The negotiable transport document ceases thereafter to have any effect or validity.

2. If a negotiable electronic transport record has been issued and the carrier and the holder agree to replace that electronic transport record by a negotiable transport document:

(*a*) The carrier shall issue to the holder, in place of the electronic transport record, a negotiable transport document that includes a statement that it replaces the negotiable electronic transport record; and

(*b*) The electronic transport record ceases thereafter to have any effect or validity.

Chapter 4
Obligations of the carrier

Article 11
Carriage and delivery of the goods

The carrier shall, subject to this Convention and in accordance with the terms of the contract of carriage, carry the goods to the place of destination and deliver them to the consignee.

Article 12
Period of responsibility of the carrier

1. The period of responsibility of the carrier for the goods under this Convention begins when the carrier or a performing party receives the goods for carriage and ends when the goods are delivered.

2. (*a*) If the law or regulations of the place of receipt require the goods to be handed over to an authority or other third party from which the carrier may collect them, the period of responsibility of the carrier begins when the carrier collects the goods from the authority or other third party.

(*b*) If the law or regulations of the place of delivery require the carrier to hand over the goods to an authority or other third party from which the consignee may collect them, the period of responsibility of the carrier ends when the carrier hands the goods over to the authority or other third party.

3. For the purpose of determining the carrier's period of responsibility, the parties may agree on the time and location of receipt and delivery of the goods, but a provision in a contract of carriage is void to the extent that it provides that:

(*a*) The time of receipt of the goods is subsequent to the beginning of their initial loading under the contract of carriage; or

(*b*) The time of delivery of the goods is prior to the completion of their final unloading under the contract of carriage.

Article 13
Specific obligations

1. The carrier shall during the period of its responsibility as defined in article 12, and subject to article 26, properly and carefully receive, load, handle, stow, carry, keep, care for, unload and deliver the goods.

2. Notwithstanding paragraph 1 of this article, and without prejudice to the other provisions in chapter 4 and to chapters 5 to 7, the carrier and the shipper may agree that the loading, handling, stowing or unloading of the goods is to be performed by the shipper, the documentary shipper or the consignee. Such an agreement shall be referred to in the contract particulars.

Article 14
Specific obligations applicable to the voyage by sea

The carrier is bound before, at the beginning of, and during the voyage by sea to exercise due diligence to:

(*a*) Make and keep the ship seaworthy;

(*b*) Properly crew, equip and supply the ship and keep the ship so crewed, equipped and supplied throughout the voyage; and

(*c*) Make and keep the holds and all other parts of the ship in which the goods are carried, and any containers supplied by the carrier in or upon which the goods are carried, fit and safe for their reception, carriage and preservation.

Article 15
Goods that may become a danger

Notwithstanding articles 11 and 13, the carrier or a performing party may decline to receive or to load, and may take such other measures as are reasonable, including unloading, destroying, or rendering goods harmless, if the goods are, or reasonably appear likely to become during the carrier's period of responsibility, an actual danger to persons, property or the environment.

Article 16
Sacrifice of the goods during the voyage by sea

Notwithstanding articles 11, 13, and 14, the carrier or a performing party may sacrifice goods at sea when the sacrifice is reasonably made for the common safety or for the purpose of preserving from peril human life or other property involved in the common adventure.

Chapter 5
Liability of the carrier for loss, damage or delay

Article 17
Basis of liability

1. The carrier is liable for loss of or damage to the goods, as well as for delay in delivery, if the claimant proves that the loss, damage, or delay, or the event or circumstance that caused or contributed to it took place during the period of the carrier's responsibility as defined in chapter 4.

2. The carrier is relieved of all or part of its liability pursuant to paragraph 1 of this article if it proves that the cause or one of the causes of the loss, damage, or delay is not attributable to its fault or to the fault of any person referred to in article 18.

3. The carrier is also relieved of all or part of its liability pursuant to paragraph 1 of this article if, alternatively to proving the absence of fault as provided in paragraph 2 of this article, it proves that one or more of the following events or circumstances caused or contributed to the loss, damage, or delay:

(*a*) Act of God;

(*b*) Perils, dangers, and accidents of the sea or other navigable waters;

(*c*) War, hostilities, armed conflict, piracy, terrorism, riots, and civil commotions;

(*d*) Quarantine restrictions; interference by or impediments created by governments, public authorities, rulers, or people including detention, arrest, or seizure not attributable to the carrier or any person referred to in article 18;

(*e*) Strikes, lockouts, stoppages, or restraints of labour;

(*f*) Fire on the ship;

(*g*) Latent defects not discoverable by due diligence;

(*h*) Act or omission of the shipper, the documentary shipper, the controlling party, or any other person for whose acts the shipper or the documentary shipper is liable pursuant to article 33 or 34;

(*i*) Loading, handling, stowing, or unloading of the goods performed pursuant to an agreement in accordance with article 13, paragraph 2, unless the carrier or a performing party performs such activity on behalf of the shipper, the documentary shipper or the consignee;

(*j*) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods;

(*k*) Insufficiency or defective condition of packing or marking not performed by or on behalf of the carrier;

(*l*) Saving or attempting to save life at sea;

(*m*) Reasonable measures to save or attempt to save property at sea;

(*n*) Reasonable measures to avoid or attempt to avoid damage to the environment; or

(*o*) Acts of the carrier in pursuance of the powers conferred by articles 15 and 16.

4. Notwithstanding paragraph 3 of this article, the carrier is liable for all or part of the loss, damage, or delay:

(*a*) If the claimant proves that the fault of the carrier or of a person referred to in article 18 caused or contributed to the event or circumstance on which the carrier relies; or

(*b*) If the claimant proves that an event or circumstance not listed in paragraph 3 of this article contributed to the loss, damage, or delay, and the carrier cannot prove that this event or circumstance is not attributable to its fault or to the fault of any person referred to in article 18.

5. The carrier is also liable, notwithstanding paragraph 3 of this article, for all or part of the loss, damage, or delay if:

(*a*) The claimant proves that the loss, damage, or delay was or was probably caused by or contributed to by (i) the unseaworthiness of the ship; (ii) the improper crewing, equipping, and supplying of the ship; or (iii) the fact that the holds or other parts of the ship in which the goods are carried, or any containers supplied by the carrier in or upon which the goods are carried, were not fit and safe for reception, carriage, and preservation of the goods; and

(*b*) The carrier is unable to prove either that: (i) none of the events or circumstances referred to in subparagraph 5 (*a*) of this article caused the loss, damage, or delay; or (ii) it complied with its obligation to exercise due diligence pursuant to article 14.

6. When the carrier is relieved of part of its liability pursuant to this article, the carrier is liable only for that part of the loss, damage or delay that is attributable to the event or circumstance for which it is liable pursuant to this article.

Article 18
Liability of the carrier for other persons

The carrier is liable for the breach of its obligations under this Convention caused by the acts or omissions of:

(*a*) Any performing party;

(*b*) The master or crew of the ship;

(*c*) Employees of the carrier or a performing party; or

(*d*) Any other person that performs or undertakes to perform any of the carrier's obligations under the contract of carriage, to the extent that the person acts, either directly or indirectly, at the carrier's request or under the carrier's supervision or control.

Article 19
Liability of maritime performing parties

1. A maritime performing party is subject to the obligations and liabilities imposed on the carrier under this Convention and is entitled to the carrier's defences and limits of liability as provided for in this Convention if:

(*a*) The maritime performing party received the goods for carriage in a Contracting State, or delivered them in a Contracting State, or performed its activities with respect to the goods in a port in a Contracting State; and

(*b*) The occurrence that caused the loss, damage or delay took place: (i) during the period between the arrival of the goods at the port of loading of the ship and their departure from the port of discharge from the ship; (ii) while the maritime performing party had custody of the goods; or (iii) at any other time to the extent that it was participating in the performance of any of the activities contemplated by the contract of carriage.

2. If the carrier agrees to assume obligations other than those imposed on the carrier under this Convention, or agrees that the limits of its liability are higher than the limits specified under this Convention, a maritime performing party is not bound by this agreement unless it expressly agrees to accept such obligations or such higher limits.

3. A maritime performing party is liable for the breach of its obligations under this Convention caused by the acts or omissions of any person to which it has entrusted the

performance of any of the carrier's obligations under the contract of carriage under the conditions set out in paragraph 1 of this article.

4. Nothing in this Convention imposes liability on the master or crew of the ship or on an employee of the carrier or of a maritime performing party.

Article 20
Joint and several liability

1. If the carrier and one or more maritime performing parties are liable for the loss of, damage to, or delay in delivery of the goods, their liability is joint and several but only up to the limits provided for under this Convention.

2. Without prejudice to article 61, the aggregate liability of all such persons shall not exceed the overall limits of liability under this Convention.

Article 21
Delay

Delay in delivery occurs when the goods are not delivered at the place of destination provided for in the contract of carriage within the time agreed.

Article 22
Calculation of compensation

1. Subject to article 59, the compensation payable by the carrier for loss of or damage to the goods is calculated by reference to the value of such goods at the place and time of delivery established in accordance with article 43.

2. The value of the goods is fixed according to the commodity exchange price or, if there is no such price, according to their market price or, if there is no commodity exchange price or market price, by reference to the normal value of the goods of the same kind and quality at the place of delivery.

3. In case of loss of or damage to the goods, the carrier is not liable for payment of any compensation beyond what is provided for in paragraphs 1 and 2 of this article except when the carrier and the shipper have agreed to calculate compensation in a different manner within the limits of chapter 16.

Article 23
Notice in case of loss, damage or delay

1. The carrier is presumed, in absence of proof to the contrary, to have delivered the goods according to their description in the contract particulars unless notice of loss of or damage to the goods, indicating the general nature of such loss or damage, was given to the carrier or the performing party that delivered the goods before or at the time of the delivery, or, if the loss or damage is not apparent, within seven working days at the place of delivery after the delivery of the goods.

2. Failure to provide the notice referred to in this article to the carrier or the performing party shall not affect the right to claim compensation for loss of or damage to the goods under this Convention, nor shall it affect the allocation of the burden of proof set out in article 17.

3. The notice referred to in this article is not required in respect of loss or damage that is ascertained in a joint inspection of the goods by the person to which they have been delivered and the carrier or the maritime performing party against which liability is being asserted.

4. No compensation in respect of delay is payable unless notice of loss due to delay was given to the carrier within twenty-one consecutive days of delivery of the goods.

5. When the notice referred to in this article is given to the performing party that delivered the goods, it has the same effect as if that notice was given to the carrier, and notice given to the carrier has the same effect as a notice given to a maritime performing party.

6. In the case of any actual or apprehended loss or damage, the parties to the dispute shall give all reasonable facilities to each other for inspecting and tallying the goods and shall provide access to records and documents relevant to the carriage of the goods.

Chapter 6
Additional provisions relating to particular stages of carriage

Article 24
Deviation

When pursuant to applicable law a deviation constitutes a breach of the carrier's obligations, such deviation of itself shall not deprive the carrier or a maritime performing party of any defence or limitation of this Convention, except to the extent provided in article 61.

Article 25
Deck cargo on ships

1. Goods may be carried on the deck of a ship only if:

(*a*) Such carriage is required by law;

(*b*) They are carried in or on containers or vehicles that are fit for deck carriage, and the decks are specially fitted to carry such containers or vehicles; or

(*c*) The carriage on deck is in accordance with the contract of carriage, or the customs, usages or practices of the trade in question.

2. The provisions of this Convention relating to the liability of the carrier apply to the loss of, damage to or delay in the

delivery of goods carried on deck pursuant to paragraph 1 of this article, but the carrier is not liable for loss of or damage to such goods, or delay in their delivery, caused by the special risks involved in their carriage on deck when the goods are carried in accordance with subparagraphs 1 (*a*) or (*c*) of this article.

3. If the goods have been carried on deck in cases other than those permitted pursuant to paragraph 1 of this article, the carrier is liable for loss of or damage to the goods or delay in their delivery that is exclusively caused by their carriage on deck, and is not entitled to the defences provided for in article 17.

4. The carrier is not entitled to invoke subparagraph 1 (*c*) of this article against a third party that has acquired a negotiable transport document or a negotiable electronic transport record in good faith, unless the contract particulars state that the goods may be carried on deck.

5. If the carrier and shipper expressly agreed that the goods would be carried under deck, the carrier is not entitled to the benefit of the limitation of liability for any loss of, damage to or delay in the delivery of the goods to the extent that such loss, damage, or delay resulted from their carriage on deck.

Article 26
Carriage preceding or subsequent to sea carriage

When loss of or damage to goods, or an event or circumstance causing a delay in their delivery, occurs during the carrier's period of responsibility but solely before their loading onto the ship or solely after their discharge from the ship, the provisions of this Convention do not prevail over those provisions of another international instrument that, at the time of such loss, damage or event or circumstance causing delay:

(*a*) Pursuant to the provisions of such international instrument would have applied to all or any of the carrier's activities if the shipper had made a separate and direct contract with the carrier in respect of the particular stage of carriage where the loss of, or damage to goods, or an event or circumstance causing delay in their delivery occurred;

(*b*) Specifically provide for the carrier's liability, limitation of liability, or time for suit; and

(*c*) Cannot be departed from by contract either at all or to the detriment of the shipper under that instrument.

Chapter 7
Obligations of the shipper to the carrier

Article 27
Delivery for carriage

1. Unless otherwise agreed in the contract of carriage, the shipper shall deliver the goods ready for carriage. In any event, the shipper shall deliver the goods in such condition that they will withstand the intended carriage, including their loading, handling, stowing, lashing and securing, and unloading, and that they will not cause harm to persons or property.

2. The shipper shall properly and carefully perform any obligation assumed under an agreement made pursuant to article 13, paragraph 2.

3. When a container is packed or a vehicle is loaded by the shipper, the shipper shall properly and carefully stow, lash and secure the contents in or on the container or vehicle, and in such a way that they will not cause harm to persons or property.

Article 28
Cooperation of the shipper and the carrier in providing information and instructions

The carrier and the shipper shall respond to requests from each other to provide information and instructions required for the proper handling and carriage of the goods if the information is in the requested party's possession or the instructions are within the requested party's reasonable ability to provide and they are not otherwise reasonably available to the requesting party.

Article 29
Shipper's obligation to provide information, instructions and documents

1. The shipper shall provide to the carrier in a timely manner such information, instructions and documents relating to the goods that are not otherwise reasonably available to the carrier, and that are reasonably necessary:

(*a*) For the proper handling and carriage of the goods, including precautions to be taken by the carrier or a performing party; and

(*b*) For the carrier to comply with law, regulations or other requirements of public authorities in connection with the intended carriage, provided that the carrier notifies the shipper in a timely manner of the information, instructions and documents it requires.

2. Nothing in this article affects any specific obligation to provide certain information, instructions and documents related to the goods pursuant to law, regulations or other requirements of public authorities in connection with the intended carriage.

Article 30
Basis of shipper's liability to the carrier

1. The shipper is liable for loss or damage sustained by the carrier if the carrier proves that such loss or damage was caused by a breach of the shipper's obligations under this Convention.

2. Except in respect of loss or damage caused by a breach by the shipper of its obligations pursuant to articles 31, paragraph 2, and 32, the shipper is relieved of all or part of its liability if the cause or one of the causes of the loss or damage is not attributable to its fault or to the fault of any person referred to in article 34.

3. When the shipper is relieved of part of its liability pursuant to this article, the shipper is liable only for that part of the loss or damage that is attributable to its fault or to the fault of any person referred to in article 34.

Article 31
Information for compilation of contract particulars

1. The shipper shall provide to the carrier, in a timely manner, accurate information required for the compilation of the contract particulars and the issuance of the transport documents or electronic transport records, including the particulars referred to in article 36, paragraph 1; the name of the party to be identified as the shipper in the contract particulars; the name of the consignee, if any; and the name of the person to whose order the transport document or electronic transport record is to be issued, if any.

2. The shipper is deemed to have guaranteed the accuracy at the time of receipt by the carrier of the information that is provided according to paragraph 1 of this article. The shipper shall indemnify the carrier against loss or damage resulting from the inaccuracy of such information.

Article 32
Special rules on dangerous goods

When goods by their nature or character are, or reasonably appear likely to become, a danger to persons, property or the environment:

(*a*) The shipper shall inform the carrier of the dangerous nature or character of the goods in a timely manner before they are delivered to the carrier or a performing party. If the shipper fails to do so and the carrier or performing party does not otherwise have knowledge of their dangerous nature or character, the shipper is liable to the carrier for loss or damage resulting from such failure to inform; and

(*b*) The shipper shall mark or label dangerous goods in accordance with any law, regulations or other requirements of public authorities that apply during any stage of the intended carriage of the goods. If the shipper fails to do so, it is liable to the carrier for loss or damage resulting from such failure.

Article 33
Assumption of shipper's rights and obligations by the documentary shipper

1. A documentary shipper is subject to the obligations and liabilities imposed on the shipper pursuant to this chapter and pursuant to article 55, and is entitled to the shipper's rights and defences provided by this chapter and by chapter 13.

2. Paragraph 1 of this article does not affect the obligations, liabilities, rights or defences of the shipper.

Article 34
Liability of the shipper for other persons

The shipper is liable for the breach of its obligations under this Convention caused by the acts or omissions of any person, including employees, agents and subcontractors, to which it has entrusted the performance of any of its obligations, but the shipper is not liable for acts or omissions of the carrier or a performing party acting on behalf of the carrier, to which the shipper has entrusted the performance of its obligations.

Chapter 8
Transport documents and electronic transport records

Article 35
Issuance of the transport document or the electronic transport record

Unless the shipper and the carrier have agreed not to use a transport document or an electronic transport record, or it is the custom, usage or practice of the trade not to use one, upon delivery of the goods for carriage to the carrier or performing party, the shipper or, if the shipper consents, the documentary shipper, is entitled to obtain from the carrier, at the shipper's option:

(*a*) A non-negotiable transport document or, subject to article 8, subparagraph (*a*), a non-negotiable electronic transport record; or

(*b*) An appropriate negotiable transport document or, subject to article 8, subparagraph (*a*), a negotiable electronic transport record, unless the shipper and the carrier have agreed not to use a negotiable transport document or negotiable electronic transport record, or it is the custom, usage or practice of the trade not to use one.

Article 36
Contract particulars

1. The contract particulars in the transport document or electronic transport record referred to in article 35 shall include the following information, as furnished by the shipper:

(*a*) A description of the goods as appropriate for the transport;

(*b*) The leading marks necessary for identification of the goods;

(*c*) The number of packages or pieces, or the quantity of goods; and

(*d*) The weight of the goods, if furnished by the shipper.

2. The contract particulars in the transport document or electronic transport record referred to in article 35 shall also include:

(*a*) A statement of the apparent order and condition of the goods at the time the carrier or a performing party receives them for carriage;

(*b*) The name and address of the carrier;

(*c*) The date on which the carrier or a performing party received the goods, or on which the goods were loaded on board the ship, or on which the transport document or electronic transport record was issued; and

(*d*) If the transport document is negotiable, the number of originals of the negotiable transport document, when more than one original is issued.

3. The contract particulars in the transport document or electronic transport record referred to in article 35 shall further include:

(*a*) The name and address of the consignee, if named by the shipper;

(*b*) The name of a ship, if specified in the contract of carriage;

(*c*) The place of receipt and, if known to the carrier, the place of delivery; and

(*d*) The port of loading and the port of discharge, if specified in the contract of carriage.

4. For the purposes of this article, the phrase "apparent order and condition of the goods" in subparagraph 2 (*a*) of this article refers to the order and condition of the goods based on:

(*a*) A reasonable external inspection of the goods as packaged at the time the shipper delivers them to the carrier or a performing party; and

(*b*) Any additional inspection that the carrier or a performing party actually performs before issuing the transport document or electronic transport record.

Article 37
Identity of the carrier

1. If a carrier is identified by name in the contract particulars, any other information in the transport document or electronic transport record relating to the identity of the carrier shall have no effect to the extent that it is inconsistent with that identification.

2. If no person is identified in the contract particulars as the carrier as required pursuant to article 36, subparagraph 2 (*b*), but the contract particulars indicate that the goods have been loaded on board a named ship, the registered owner of that ship is presumed to be the carrier, unless it proves that the ship was under a bareboat charter at the time of the carriage and it identifies this bareboat charterer and indicates its address, in which case this bareboat charterer is presumed to be the carrier. Alternatively, the registered owner may rebut the presumption of being the carrier by identifying the carrier and indicating its address. The bareboat charterer may rebut any presumption of being the carrier in the same manner.

3. Nothing in this article prevents the claimant from proving that any person other than a person identified in the contract particulars or pursuant to paragraph 2 of this article is the carrier.

Article 38
Signature

1. A transport document shall be signed by the carrier or a person acting on its behalf.

2. An electronic transport record shall include the electronic signature of the carrier or a person acting on its behalf. Such electronic signature shall identify the signatory in relation to the electronic transport record and indicate the carrier's authorization of the electronic transport record.

Article 39
Deficiencies in the contract particulars

1. The absence or inaccuracy of one or more of the contract particulars referred to in article 36, paragraphs 1, 2 or 3, does not of itself affect the legal character or validity of the transport document or of the electronic transport record.

2. If the contract particulars include the date but fail to indicate its significance, the date is deemed to be:

(*a*) The date on which all of the goods indicated in the transport document or electronic transport record were loaded on board the ship, if the contract particulars indicate that the goods have been loaded on board a ship; or

(*b*) The date on which the carrier or a performing party received the goods, if the contract particulars do not indicate that the goods have been loaded on board a ship.

3. If the contract particulars fail to state the apparent order and condition of the goods at the time the carrier or a performing party receives them, the contract particulars are deemed to have stated that the goods were in apparent good order and condition at the time the carrier or a performing party received them.

Article 40
Qualifying the information relating to the goods in the contract particulars

1. The carrier shall qualify the information referred to in article 36, paragraph 1, to indicate that the carrier does not assume responsibility for the accuracy of the information furnished by the shipper if:

(*a*) The carrier has actual knowledge that any material statement in the transport document or electronic transport record is false or misleading; or

(*b*) The carrier has reasonable grounds to believe that a material statement in the transport document or electronic transport record is false or misleading.

2. Without prejudice to paragraph 1 of this article, the carrier may qualify the information referred to in article 36, paragraph 1, in the circumstances and in the manner set out in paragraphs 3 and 4 of this article to indicate that the carrier does not assume responsibility for the accuracy of the information furnished by the shipper.

3. When the goods are not delivered for carriage to the carrier or a performing party in a closed container or vehicle, or when they are delivered in a closed container or vehicle and the carrier or a performing party actually inspects them, the carrier may qualify the information referred to in article 36, paragraph 1, if:

(*a*) The carrier had no physically practicable or commercially reasonable means of checking the information furnished by the shipper, in which case it may indicate which information it was unable to check; or

(*b*) The carrier has reasonable grounds to believe the information furnished by the shipper to be inaccurate, in which case it may include a clause providing what it reasonably considers accurate information.

4. When the goods are delivered for carriage to the carrier or a performing party in a closed container or vehicle, the carrier may qualify the information referred to in:

(*a*) Article 36, subparagraphs 1 (*a*), (*b*), or (*c*), if:

(i) The goods inside the container or vehicle have not actually been inspected by the carrier or a performing party; and

(ii) Neither the carrier nor a performing party otherwise has actual knowledge of its contents before issuing the transport document or the electronic transport record; and

(*b*) Article 36, subparagraph 1 (*d*), if:

(i) Neither the carrier nor a performing party weighed the container or vehicle, and the shipper and the carrier had not agreed prior to the shipment that the container or vehicle would be weighed and the weight would be included in the contract particulars; or

(ii) There was no physically practicable or commercially reasonable means of checking the weight of the container or vehicle.

Article 41
Evidentiary effect of the contract particulars

Except to the extent that the contract particulars have been qualified in the circumstances and in the manner set out in article 40:

(*a*) A transport document or an electronic transport record is prima facie evidence of the carrier's receipt of the goods as stated in the contract particulars;

(*b*) Proof to the contrary by the carrier in respect of any contract particulars shall not be admissible, when such contract particulars are included in:

(i) A negotiable transport document or a negotiable electronic transport record that is transferred to a third party acting in good faith; or

(ii) A non-negotiable transport document that indicates that it must be surrendered in order to obtain delivery of the goods and is transferred to the consignee acting in good faith;

(*c*) Proof to the contrary by the carrier shall not be admissible against a consignee that in good faith has acted in reliance on any of the following contract particulars included in a non-negotiable transport document or a non-negotiable electronic transport record:

(i) The contract particulars referred to in article 36, paragraph 1, when such contract particulars are furnished by the carrier;

(ii) The number, type and identifying numbers of the containers, but not the identifying numbers of the container seals; and

(iii) The contract particulars referred to in article 36, paragraph 2.

Article 42
"Freight prepaid"

If the contract particulars contain the statement "freight prepaid" or a statement of a similar nature, the carrier cannot assert against the holder or the consignee the fact that the freight has not been paid. This article does not apply if the holder or the consignee is also the shipper.

Chapter 9
Delivery of the goods

Article 43
Obligation to accept delivery

When the goods have arrived at their destination, the consignee that demands delivery of the goods under the contract of carriage shall accept delivery of the goods at the time or within the time period and at the location agreed in the contract of carriage or, failing such agreement, at the time and location at which, having regard to the terms of the contract, the customs, usages or practices of the trade and the circumstances of the carriage, delivery could reasonably be expected.

Article 44
Obligation to acknowledge receipt

On request of the carrier or the performing party that delivers the goods, the consignee shall acknowledge receipt of the goods from the carrier or the performing party in the manner that is customary at the place of delivery. The carrier may refuse delivery if the consignee refuses to acknowledge such receipt.

Article 45
Delivery when no negotiable transport document or negotiable electronic transport record is issued

When neither a negotiable transport document nor a negotiable electronic transport record has been issued:

(*a*) The carrier shall deliver the goods to the consignee at the time and location referred to in article 43. The carrier may refuse delivery if the person claiming to be the consignee does not properly identify itself as the consignee on the request of the carrier;

(*b*) If the name and address of the consignee are not referred to in the contract particulars, the controlling party shall prior to or upon the arrival of the goods at the place of destination advise the carrier of such name and address;

(*c*) Without prejudice to article 48, paragraph 1, if the goods are not deliverable because (i) the consignee, after having received a notice of arrival, does not, at the time or within the time period referred to in article 43, claim delivery of the goods from the carrier after their arrival at the place of destination, (ii) the carrier refuses delivery because the person claiming to be the consignee does not properly identify itself as the consignee, or (iii) the carrier is, after reasonable effort, unable to locate the consignee in order to request delivery instructions, the carrier may so advise the controlling party and request instructions in respect of the delivery of the goods. If, after reasonable effort, the carrier is unable to locate the controlling party, the carrier may so advise the shipper and request instructions in respect of the delivery of the goods. If, after reasonable effort, the carrier is unable to locate the shipper, the carrier may so advise the documentary shipper and request instructions in respect of the delivery of the goods;

(*d*) The carrier that delivers the goods upon instruction of the controlling party, the shipper or the documentary shipper pursuant to subparagraph (*c*) of this article is discharged from its obligations to deliver the goods under the contract of carriage.

Article 46
Delivery when a non-negotiable transport document that requires surrender is issued

When a non-negotiable transport document has been issued that indicates that it shall be surrendered in order to obtain delivery of the goods:

(*a*) The carrier shall deliver the goods at the time and location referred to in article 43 to the consignee upon the consignee properly identifying itself on the request of the carrier and surrender of the non-negotiable document. The carrier may refuse delivery if the person claiming to be the consignee fails to properly identify itself on the request of the carrier, and shall refuse delivery if the non-negotiable document is not surrendered. If more than one original of the non-negotiable document has been issued, the surrender of one original will suffice and the other originals cease to have any effect or validity;

(*b*) Without prejudice to article 48, paragraph 1, if the goods are not deliverable because (i) the consignee, after having received a notice of arrival, does not, at the time or within the time period referred to in article 43, claim delivery of the goods from the carrier after their arrival at the place of destination, (ii) the carrier refuses delivery because the person claiming to be the consignee does not properly identify itself as the consignee or does not surrender the document, or (iii) the carrier is, after reasonable effort, unable to locate the consignee in order to request delivery instructions, the carrier may so advise the shipper and request instructions in respect of the delivery of the goods. If, after reasonable effort, the carrier is unable to locate the shipper, the carrier may so advise the documentary shipper and request instructions in respect of the delivery of the goods;

(*c*) The carrier that delivers the goods upon instruction of the shipper or the documentary shipper pursuant to subparagraph (*b*) of this article is discharged from its obligation to deliver the goods under the contract of carriage, irrespective of whether the non-negotiable transport document has been surrendered to it.

Article 47
Delivery when a negotiable transport document or negotiable electronic transport record is issued

1. When a negotiable transport document or a negotiable electronic transport record has been issued:

(*a*) The holder of the negotiable transport document or negotiable electronic transport record is entitled to claim delivery of the goods from the carrier after they have arrived at the place of destination, in which event the carrier shall deliver the goods at the time and location referred to in article 43 to the holder:

(i) Upon surrender of the negotiable transport document and, if the holder is one of the persons referred to in article 1, subparagraph 10 (*a*) (i), upon the holder properly identifying itself; or

(ii) Upon demonstration by the holder, in accordance with the procedures referred to in article 9, paragraph 1, that it is the holder of the negotiable electronic transport record;

(*b*) The carrier shall refuse delivery if the requirements of subparagraph (*a*) (i) or (*a*) (ii) of this paragraph are not met;

(*c*) If more than one original of the negotiable transport document has been issued, and the number of originals is stated in that document, the surrender of one original will suffice and the other originals cease to have any effect or validity. When a negotiable electronic transport record has been used, such electronic transport record ceases to have any effect or validity upon delivery to the holder in accordance with the procedures required by article 9, paragraph 1.

2. Without prejudice to article 48, paragraph 1, if the negotiable transport document or the negotiable electronic transport record expressly states that the goods may be delivered without the surrender of the transport document or the electronic transport record, the following rules apply:

(*a*) If the goods are not deliverable because (i) the holder, after having received a notice of arrival, does not, at the time or within the time period referred to in article 43, claim delivery of the goods from the carrier after their arrival at the place of destination, (ii) the carrier refuses delivery because the person claiming to be a holder does not properly identify itself as one of the persons referred to in article 1, subparagraph 10 (*a*) (i), or (iii) the carrier is, after reasonable effort, unable to locate the holder in order to request delivery instructions, the carrier may so advise the shipper and request instructions in respect of the delivery of the goods. If, after reasonable effort, the carrier is unable to locate the shipper, the carrier may so advise the documentary shipper and request instructions in respect of the delivery of the goods;

(*b*) The carrier that delivers the goods upon instruction of the shipper or the documentary shipper in accordance with subparagraph 2 (*a*) of this article is discharged from its obligation to deliver the goods under the contract of carriage to the holder, irrespective of whether the negotiable transport document has been surrendered to it, or the person claiming delivery under a negotiable electronic transport record has demonstrated, in accordance with the procedures referred to in article 9, paragraph 1, that it is the holder;

(*c*) The person giving instructions under subparagraph 2 (*a*) of this article shall indemnify the carrier against loss arising from its being held liable to the holder under subparagraph 2 (*e*) of this article. The carrier may refuse to follow those instructions if the person fails to provide adequate security as the carrier may reasonably request;

(*d*) A person that becomes a holder of the negotiable transport document or the negotiable electronic transport record after the carrier has delivered the goods pursuant to subparagraph 2 (*b*) of this article, but pursuant to contractual or other arrangements made before such delivery acquires rights against the carrier under the contract of carriage, other than the right to claim delivery of the goods;

(*e*) Notwithstanding subparagraphs 2 (*b*) and 2 (*d*) of this article, a holder that becomes a holder after such delivery, and that did not have and could not reasonably have had knowledge of such delivery at the time it became a holder, acquires the rights incorporated in the negotiable transport document or negotiable electronic transport record. When the contract particulars state the expected time of arrival of the goods, or indicate how to obtain information as to whether the goods have been delivered, it is presumed that the holder at the time that it became a holder had or could reasonably have had knowledge of the delivery of the goods.

Article 48
Goods remaining undelivered

1. For the purposes of this article, goods shall be deemed to have remained undelivered only if, after their arrival at the place of destination:

(*a*) The consignee does not accept delivery of the goods pursuant to this chapter at the time and location referred to in article 43;

(*b*) The controlling party, the holder, the shipper or the documentary shipper cannot be found or does not give the carrier adequate instructions pursuant to articles 45, 46 and 47;

(*c*) The carrier is entitled or required to refuse delivery pursuant to articles 44, 45, 46 and 47;

(*d*) The carrier is not allowed to deliver the goods to the consignee pursuant to the law or regulations of the place at which delivery is requested; or

(*e*) The goods are otherwise undeliverable by the carrier.

2. Without prejudice to any other rights that the carrier may have against the shipper, controlling party or consignee, if the goods have remained undelivered, the carrier may, at the risk and expense of the person entitled to the goods, take such action in respect of the goods as circumstances may reasonably require, including:

(*a*) To store the goods at any suitable place;

(*b*) To unpack the goods if they are packed in containers or vehicles, or to act otherwise in respect of the goods, including by moving them; and

(*c*) To cause the goods to be sold or destroyed in accordance with the practices or pursuant to the law or regulations of the place where the goods are located at the time.

3. The carrier may exercise the rights under paragraph 2 of this article only after it has given reasonable notice of the intended action under paragraph 2 of this article to the person stated in the contract particulars as the person, if any, to be notified of the arrival of the goods at the place of destination, and to one of the following persons in the order indicated, if known to the carrier: the consignee, the controlling party or the shipper.

4. If the goods are sold pursuant to subparagraph 2 (*c*) of this article, the carrier shall hold the proceeds of the sale for the benefit of the person entitled to the goods, subject to the deduction of any costs incurred by the carrier and any other

amounts that are due to the carrier in connection with the carriage of those goods.

5. The carrier shall not be liable for loss of or damage to goods that occurs during the time that they remain undelivered pursuant to this article unless the claimant proves that such loss or damage resulted from the failure by the carrier to take steps that would have been reasonable in the circumstances to preserve the goods and that the carrier knew or ought to have known that the loss or damage to the goods would result from its failure to take such steps.

Article 49
Retention of goods

Nothing in this Convention affects a right of the carrier or a performing party that may exist pursuant to the contract of carriage or the applicable law to retain the goods to secure the payment of sums due.

Chapter 10
Rights of the controlling party

Article 50
Exercise and extent of right of control

1. The right of control may be exercised only by the controlling party and is limited to:

(*a*) The right to give or modify instructions in respect of the goods that do not constitute a variation of the contract of carriage;

(*b*) The right to obtain delivery of the goods at a scheduled port of call or, in respect of inland carriage, any place en route; and

(*c*) The right to replace the consignee by any other person including the controlling party.

2. The right of control exists during the entire period of responsibility of the carrier, as provided in article 12, and ceases when that period expires.

Article 51
Identity of the controlling party and transfer of the right of control

1. Except in the cases referred to in paragraphs 2, 3 and 4 of this article:

(*a*) The shipper is the controlling party unless the shipper, when the contract of carriage is concluded, designates the consignee, the documentary shipper or another person as the controlling party;

(*b*) The controlling party is entitled to transfer the right of control to another person. The transfer becomes effective with respect to the carrier upon its notification of the transfer by the transferor, and the transferee becomes the controlling party; and

(*c*) The controlling party shall properly identify itself when it exercises the right of control.

2. When a non-negotiable transport document has been issued that indicates that it shall be surrendered in order to obtain delivery of the goods:

(*a*) The shipper is the controlling party and may transfer the right of control to the consignee named in the transport document by transferring the document to that person without endorsement. If more than one original of the document was issued, all originals shall be transferred in order to effect a transfer of the right of control; and

(*b*) In order to exercise its right of control, the controlling party shall produce the document and properly identify itself. If more than one original of the document was issued, all originals shall be produced, failing which the right of control cannot be exercised.

3. When a negotiable transport document is issued:

(*a*) The holder or, if more than one original of the negotiable transport document is issued, the holder of all originals is the controlling party;

(*b*) The holder may transfer the right of control by transferring the negotiable transport document to another person in accordance with article 57. If more than one original of that document was issued, all originals shall be transferred to that person in order to effect a transfer of the right of control; and

(*c*) In order to exercise the right of control, the holder shall produce the negotiable transport document to the carrier, and if the holder is one of the persons referred to in article 1, subparagraph 10 (*a*) (i), the holder shall properly identify itself. If more than one original of the document was issued, all originals shall be produced, failing which the right of control cannot be exercised.

4. When a negotiable electronic transport record is issued:

(*a*) The holder is the controlling party;

(*b*) The holder may transfer the right of control to another person by transferring the negotiable electronic transport record in accordance with the procedures referred to in article 9, paragraph 1; and

(*c*) In order to exercise the right of control, the holder shall demonstrate, in accordance with the procedures referred to in article 9, paragraph 1, that it is the holder.

Article 52
Carrier's execution of instructions

1. Subject to paragraphs 2 and 3 of this article, the carrier shall execute the instructions referred to in article 50 if:

(*a*) The person giving such instructions is entitled to exercise the right of control;

(*b*) The instructions can reasonably be executed according to their terms at the moment that they reach the carrier; and

(*c*) The instructions will not interfere with the normal operations of the carrier, including its delivery practices.

2. In any event, the controlling party shall reimburse the carrier for any reasonable additional expense that the carrier may incur and shall indemnify the carrier against loss or damage that the carrier may suffer as a result of diligently executing any instruction pursuant to this article, including compensation that the carrier may become liable to pay for loss of or damage to other goods being carried.

3. The carrier is entitled to obtain security from the controlling party for the amount of additional expense, loss or damage that the carrier reasonably expects will arise in connection with the execution of an instruction pursuant to this article. The carrier may refuse to carry out the instructions if no such security is provided.

4. The carrier's liability for loss of or damage to the goods or for delay in delivery resulting from its failure to comply with the instructions of the controlling party in breach of its obligation pursuant to paragraph 1 of this article shall be subject to articles 17 to 23, and the amount of the compensation payable by the carrier shall be subject to articles 59 to 61.

Article 53
Deemed delivery

Goods that are delivered pursuant to an instruction in accordance with article 52, paragraph 1, are deemed to be delivered at the place of destination, and the provisions of chapter 9 relating to such delivery apply to such goods.

Article 54
Variations to the contract of carriage

1. The controlling party is the only person that may agree with the carrier to variations to the contract of carriage other than those referred to in article 50, subparagraphs 1 (*b*) and (*c*).

2. Variations to the contract of carriage, including those referred to in article 50, subparagraphs 1 (*b*) and (*c*), shall be stated in a negotiable transport document or in a non-negotiable transport document that requires surrender, or incorporated in a negotiable electronic transport record, or, upon the request of the controlling party, shall be stated in a non-negotiable transport document or incorporated in a non-negotiable electronic transport record. If so stated or incorporated, such variations shall be signed in accordance with article 38.

Article 55
Providing additional information, instructions or documents to carrier

1. The controlling party, on request of the carrier or a performing party, shall provide in a timely manner information, instructions or documents relating to the goods not yet provided by the shipper and not otherwise reasonably available to the carrier that the carrier may reasonably need to perform its obligations under the contract of carriage.

2. If the carrier, after reasonable effort, is unable to locate the controlling party or the controlling party is unable to provide adequate information, instructions or documents to the carrier, the shipper shall provide them. If the carrier, after reasonable effort, is unable to locate the shipper, the documentary shipper shall provide such information, instructions or documents.

Article 56
Variation by agreement

The parties to the contract of carriage may vary the effect of articles 50, subparagraphs 1 (*b*) and (*c*), 50, paragraph 2, and 52. The parties may also restrict or exclude the transferability of the right of control referred to in article 51, subparagraph 1 (*b*).

Chapter 11
Transfer of rights

Article 57
When a negotiable transport document or negotiable electronic transport record is issued

1. When a negotiable transport document is issued, the holder may transfer the rights incorporated in the document by transferring it to another person:

(*a*) Duly endorsed either to such other person or in blank, if an order document; or

(*b*) Without endorsement, if: (i) a bearer document or a blank endorsed document; or (ii) a document made out to the order of a named person and the transfer is between the first holder and the named person.

2. When a negotiable electronic transport record is issued, its holder may transfer the rights incorporated in it, whether it be made out to order or to the order of a named person, by transferring the electronic transport record in accordance with the procedures referred to in article 9, paragraph 1.

Article 58
Liability of holder

1. Without prejudice to article 55, a holder that is not the shipper and that does not exercise any right under the contract

of carriage does not assume any liability under the contract of carriage solely by reason of being a holder.

2. A holder that is not the shipper and that exercises any right under the contract of carriage assumes any liabilities imposed on it under the contract of carriage to the extent that such liabilities are incorporated in or ascertainable from the negotiable transport document or the negotiable electronic transport record.

3. For the purposes of paragraphs 1 and 2 of this article, a holder that is not the shipper does not exercise any right under the contract of carriage solely because:

(*a*) It agrees with the carrier, pursuant to article 10, to replace a negotiable transport document by a negotiable electronic transport record or to replace a negotiable electronic transport record by a negotiable transport document; or

(*b*) It transfers its rights pursuant to article 57.

Chapter 12
Limits of liability

Article 59
Limits of liability

1. Subject to articles 60 and 61, paragraph 1, the carrier's liability for breaches of its obligations under this Convention is limited to 875 units of account per package or other shipping unit, or 3 units of account per kilogram of the gross weight of the goods that are the subject of the claim or dispute, whichever amount is the higher, except when the value of the goods has been declared by the shipper and included in the contract particulars, or when a higher amount than the amount of limitation of liability set out in this article has been agreed upon between the carrier and the shipper.

2. When goods are carried in or on a container, pallet or similar article of transport used to consolidate goods, or in or on a vehicle, the packages or shipping units enumerated in the contract particulars as packed in or on such article of transport or vehicle are deemed packages or shipping units. If not so enumerated, the goods in or on such article of transport or vehicle are deemed one shipping unit.

3. The unit of account referred to in this article is the Special Drawing Right as defined by the International Monetary Fund. The amounts referred to in this article are to be converted into the national currency of a State according to the value of such currency at the date of judgement or award or the date agreed upon by the parties. The value of a national currency, in terms of the Special Drawing Right, of a Contracting State that is a member of the International Monetary Fund is to be calculated in accordance with the method of valuation applied by the International Monetary Fund in effect at the date in question for its operations and transactions. The value of a national currency, in terms of the Special Drawing Right, of a Contracting State that is not a member of the International Monetary Fund is to be calculated in a manner to be determined by that State.

Article 60
Limits of liability for loss caused by delay

Subject to article 61, paragraph 2, compensation for loss of or damage to the goods due to delay shall be calculated in accordance with article 22 and liability for economic loss due to delay is limited to an amount equivalent to two and one-half times the freight payable on the goods delayed. The total amount payable pursuant to this article and article 59, paragraph 1, may not exceed the limit that would be established pursuant to article 59, paragraph 1, in respect of the total loss of the goods concerned.

Article 61
Loss of the benefit of limitation of liability

1. Neither the carrier nor any of the persons referred to in article 18 is entitled to the benefit of the limitation of liability as provided in article 59, or as provided in the contract of carriage, if the claimant proves that the loss resulting from the breach of the carrier's obligation under this Convention was attributable to a personal act or omission of the person claiming a right to limit done with the intent to cause such loss or recklessly and with knowledge that such loss would probably result.

2. Neither the carrier nor any of the persons mentioned in article 18 is entitled to the benefit of the limitation of liability as provided in article 60 if the claimant proves that the delay in delivery resulted from a personal act or omission of the person claiming a right to limit done with the intent to cause the loss due to delay or recklessly and with knowledge that such loss would probably result.

Chapter 13
Time for suit

Article 62
Period of time for suit

1. No judicial or arbitral proceedings in respect of claims or disputes arising from a breach of an obligation under this Convention may be instituted after the expiration of a period of two years.

2. The period referred to in paragraph 1 of this article commences on the day on which the carrier has delivered the goods or, in cases in which no goods have been delivered or only part of the goods have been delivered, on the last day on which the goods should have been delivered. The day on which the period commences is not included in the period.

3. Notwithstanding the expiration of the period set out in paragraph 1 of this article, one party may rely on its claim as a defence or for the purpose of set-off against a claim asserted by the other party.

Article 63
Extension of time for suit

The period provided in article 62 shall not be subject to suspension or interruption, but the person against which a claim is made may at any time during the running of the period extend that period by a declaration to the claimant. This period may be further extended by another declaration or declarations.

Article 64
Action for indemnity

An action for indemnity by a person held liable may be instituted after the expiration of the period provided in article 62 if the indemnity action is instituted within the later of:

(*a*) The time allowed by the applicable law in the jurisdiction where proceedings are instituted; or

(*b*) Ninety days commencing from the day when the person instituting the action for indemnity has either settled the claim or been served with process in the action against itself, whichever is earlier.

Article 65
Actions against the person identified as the carrier

An action against the bareboat charterer or the person identified as the carrier pursuant to article 37, paragraph 2, may be instituted after the expiration of the period provided in article 62 if the action is instituted within the later of:

(*a*) The time allowed by the applicable law in the jurisdiction where proceedings are instituted; or

(*b*) Ninety days commencing from the day when the carrier has been identified, or the registered owner or bareboat charterer has rebutted the presumption that it is the carrier, pursuant to article 37, paragraph 2.

Chapter 14
Jurisdiction

Article 66
Actions against the carrier

Unless the contract of carriage contains an exclusive choice of court agreement that complies with article 67 or 72, the plaintiff has the right to institute judicial proceedings under this Convention against the carrier:

(*a*) In a competent court within the jurisdiction of which is situated one of the following places:

(i) The domicile of the carrier;

(ii) The place of receipt agreed in the contract of carriage;

(iii) The place of delivery agreed in the contract of carriage; or

(iv) The port where the goods are initially loaded on a ship or the port where the goods are finally discharged from a ship; or

(*b*) In a competent court or courts designated by an agreement between the shipper and the carrier for the purpose of deciding claims against the carrier that may arise under this Convention.

Article 67
Choice of court agreements

1. The jurisdiction of a court chosen in accordance with article 66, subparagraph *b*), is exclusive for disputes between the parties to the contract only if the parties so agree and the agreement conferring jurisdiction:

(*a*) Is contained in a volume contract that clearly states the names and addresses of the parties and either (i) is individually negotiated or (ii) contains a prominent statement that there is an exclusive choice of court agreement and specifies the sections of the volume contract containing that agreement; and

(*b*) Clearly designates the courts of one Contracting State or one or more specific courts of one Contracting State.

2. A person that is not a party to the volume contract is bound by an exclusive choice of court agreement concluded in accordance with paragraph 1 of this article only if:

(*a*) The court is in one of the places designated in article 66, subparagraph (*a*);

(*b*) That agreement is contained in the transport document or electronic transport record;

(*c*) That person is given timely and adequate notice of the court where the action shall be brought and that the jurisdiction of that court is exclusive; and

(*d*) The law of the court seized recognizes that that person may be bound by the exclusive choice of court agreement.

Article 68
Actions against the maritime performing party

The plaintiff has the right to institute judicial proceedings under this Convention against the maritime performing party in a competent court within the jurisdiction of which is situated one of the following places:

(*a*) The domicile of the maritime performing party; or

(*b*) The port where the goods are received by the maritime performing party, the port where the goods are delivered by the maritime performing party or the port in which the maritime performing party performs its activities with respect to the goods.

Article 69
No additional bases of jurisdiction

Subject to articles 71 and 72, no judicial proceedings under this Convention against the carrier or a maritime performing party may be instituted in a court not designated pursuant to article 66 or 68.

Article 70
Arrest and provisional or protective measures

Nothing in this Convention affects jurisdiction with regard to provisional or protective measures, including arrest. A court in a State in which a provisional or protective measure was taken does not have jurisdiction to determine the case upon its merits unless:

(*a*) The requirements of this chapter are fulfilled; or

(*b*) An international convention that applies in that State so provides.

Article 71
Consolidation and removal of actions

1. Except when there is an exclusive choice of court agreement that is binding pursuant to article 67 or 72, if a single action is brought against both the carrier and the maritime performing party arising out of a single occurrence, the action may be instituted only in a court designated pursuant to both article 66 and article 68. If there is no such court, such action may be instituted in a court designated pursuant to article 68, subparagraph (*b*), if there is such a court.

2. Except when there is an exclusive choice of court agreement that is binding pursuant to article 67 or 72, a carrier or a maritime performing party that institutes an action seeking a declaration of non-liability or any other action that would deprive a person of its right to select the forum pursuant to article 66 or 68 shall, at the request of the defendant, withdraw that action once the defendant has chosen a court designated pursuant to article 66 or 68, whichever is applicable, where the action may be recommenced.

Article 72
Agreement after a dispute has arisen and jurisdiction when the defendant has entered an appearance

1. After a dispute has arisen, the parties to the dispute may agree to resolve it in any competent court.

2. A competent court before which a defendant appears, without contesting jurisdiction in accordance with the rules of that court, has jurisdiction.

Article 73
Recognition and enforcement

1. A decision made in one Contracting State by a court having jurisdiction under this Convention shall be recognized and enforced in another Contracting State in accordance with the law of such latter Contracting State when both States have made a declaration in accordance with article 74.

2. A court may refuse recognition and enforcement based on the grounds for the refusal of recognition and enforcement available pursuant to its law.

3. This chapter shall not affect the application of the rules of a regional economic integration organization that is a party to this Convention, as concerns the recognition or enforcement of judgements as between member States of the regional economic integration organization, whether adopted before or after this Convention.

Article 74
Application of chapter 14

The provisions of this chapter shall bind only Contracting States that declare in accordance with article 91 that they will be bound by them.

Chapter 15
Arbitration

Article 75
Arbitration agreements

1. Subject to this chapter, parties may agree that any dispute that may arise relating to the carriage of goods under this Convention shall be referred to arbitration.

2. The arbitration proceedings shall, at the option of the person asserting a claim against the carrier, take place at:

(*a*) Any place designated for that purpose in the arbitration agreement; or

(*b*) Any other place situated in a State where any of the following places is located:

(i) The domicile of the carrier;

(ii) The place of receipt agreed in the contract of carriage;

(iii) The place of delivery agreed in the contract of carriage; or

(iv) The port where the goods are initially loaded on a ship or the port where the goods are finally discharged from a ship.

3. The designation of the place of arbitration in the agreement is binding for disputes between the parties to the agreement if the agreement is contained in a volume contract that clearly states the names and addresses of the parties and either:

(*a*) Is individually negotiated; or

(*b*) Contains a prominent statement that there is an arbitration agreement and specifies the sections of the volume contract containing the arbitration agreement.

4. When an arbitration agreement has been concluded in accordance with paragraph 3 of this article, a person that is not a party to the volume contract is bound by the designation of the place of arbitration in that agreement only if:

(*a*) The place of arbitration designated in the agreement is situated in one of the places referred to in subparagraph 2 (*b*) of this article;

(*b*) The agreement is contained in the transport document or electronic transport record;

(*c*) The person to be bound is given timely and adequate notice of the place of arbitration; and

(*d*) Applicable law permits that person to be bound by the arbitration agreement.

5. The provisions of paragraphs 1, 2, 3 and 4 of this article are deemed to be part of every arbitration clause or agreement, and any term of such clause or agreement to the extent that it is inconsistent therewith is void.

Article 76
Arbitration agreement in non-liner transportation

1. Nothing in this Convention affects the enforceability of an arbitration agreement in a contract of carriage in non-liner transportation to which this Convention or the provisions of this Convention apply by reason of:

(*a*) The application of article 7; or

(*b*) The parties' voluntary incorporation of this Convention in a contract of carriage that would not otherwise be subject to this Convention.

2. Notwithstanding paragraph 1 of this article, an arbitration agreement in a transport document or electronic transport record to which this Convention applies by reason of the application of article 7 is subject to this chapter unless such a transport document or electronic transport record:

(*a*) Identifies the parties to and the date of the charter party or other contract excluded from the application of this Convention by reason of the application of article 6; and

(*b*) Incorporates by specific reference the clause in the charter party or other contract that contains the terms of the arbitration agreement.

Article 77
Agreement to arbitrate after a dispute has arisen

Notwithstanding the provisions of this chapter and chapter 14, after a dispute has arisen the parties to the dispute may agree to resolve it by arbitration in any place.

Article 78
Application of chapter 15

The provisions of this chapter shall bind only Contracting States that declare in accordance with article 91 that they will be bound by them.

Chapter 16
Validity of contractual terms

Article 79
General provisions

1. Unless otherwise provided in this Convention, any term in a contract of carriage is void to the extent that it:

(*a*) Directly or indirectly excludes or limits the obligations of the carrier or a maritime performing party under this Convention;

(*b*) Directly or indirectly excludes or limits the liability of the carrier or a maritime performing party for breach of an obligation under this Convention; or

(*c*) Assigns a benefit of insurance of the goods in favour of the carrier or a person referred to in article 18.

2. Unless otherwise provided in this Convention, any term in a contract of carriage is void to the extent that it:

(*a*) Directly or indirectly excludes, limits or increases the obligations under this Convention of the shipper, consignee, controlling party, holder or documentary shipper; or

(*b*) Directly or indirectly excludes, limits or increases the liability of the shipper, consignee, controlling party, holder or documentary shipper for breach of any of its obligations under this Convention.

Article 80
Special rules for volume contracts

1. Notwithstanding article 79, as between the carrier and the shipper, a volume contract to which this Convention applies may provide for greater or lesser rights, obligations and liabilities than those imposed by this Convention.

2. A derogation pursuant to paragraph 1 of this article is binding only when:

(*a*) The volume contract contains a prominent statement that it derogates from this Convention;

(*b*) The volume contract is (i) individually negotiated or (ii) prominently specifies the sections of the volume contract containing the derogations;

(*c*) The shipper is given an opportunity and notice of the opportunity to conclude a contract of carriage on terms and conditions that comply with this Convention without any derogation under this article; and (*d*) The derogation is neither (i) incorporated by reference from another document nor (ii) included in a contract of adhesion that is not subject to negotiation.

3. A carrier's public schedule of prices and services, transport document, electronic transport record or similar document is not a volume contract pursuant to paragraph 1 of this article, but a volume contract may incorporate such documents by reference as terms of the contract.

4. Paragraph 1 of this article does not apply to rights and obligations provided in articles 14, subparagraphs (*a*) and (*b*), 29 and 32 or to liability arising from the breach thereof, nor does it apply to any liability arising from an act or omission referred to in article 61.

5. The terms of the volume contract that derogate from this Convention, if the volume contract satisfies the requirements of paragraph 2 of this article, apply between the carrier and any person other than the shipper provided that:

(*a*) Such person received information that prominently states that the volume contract derogates from this Convention and gave its express consent to be bound by such derogations; and

(*b*) Such consent is not solely set forth in a carrier's public schedule of prices and services, transport document or electronic transport record.

6. The party claiming the benefit of the derogation bears the burden of proof that the conditions for derogation have been fulfilled.

Article 81
Special rules for live animals and certain other goods

Notwithstanding article 79 and without prejudice to article 80, the contract of carriage may exclude or limit the obligations or the liability of both the carrier and a maritime performing party if:

(*a*) The goods are live animals, but any such exclusion or limitation will not be effective if the claimant proves that the loss of or damage to the goods, or delay in delivery, resulted from an act or omission of the carrier or of a person referred to in article 18, done with the intent to cause such loss of or damage to the goods or such loss due to delay or done recklessly and with knowledge that such loss or damage or such loss due to delay would probably result; or

(*b*) The character or condition of the goods or the circumstances and terms and conditions under which the carriage is to be performed are such as reasonably to justify a special agreement, provided that such contract of carriage is not related to ordinary commercial shipments made in the ordinary course of trade and that no negotiable transport document or negotiable electronic transport record is issued for the carriage of the goods.

Chapter 17
Matters not governed by this convention

Article 82
International conventions governing the carriage of goods by other modes of transport

Nothing in this Convention affects the application of any of the following international conventions in force at the time this Convention enters into force, including any future amendment to such conventions, that regulate the liability of the carrier for loss of or damage to the goods:

(*a*) Any convention governing the carriage of goods by air to the extent that such convention according to its provisions applies to any part of the contract of carriage;

(*b*) Any convention governing the carriage of goods by road to the extent that such convention according to its provisions applies to the carriage of goods that remain loaded on a road cargo vehicle carried on board a ship;

(*c*) Any convention governing the carriage of goods by rail to the extent that such convention according to its provisions applies to carriage of goods by sea as a supplement to the carriage by rail; or

(*d*) Any convention governing the carriage of goods by inland waterways to the extent that such convention according to its provisions applies to a carriage of goods without transshipment both by inland waterways and sea.

Article 83
Global limitation of liability

Nothing in this Convention affects the application of any international convention or national law regulating the global limitation of liability of vessel owners.

Article 84
General average

Nothing in this Convention affects the application of terms in the contract of carriage or provisions of national law regarding the adjustment of general average.

Article 85
Passengers and luggage

This Convention does not apply to a contract of carriage for passengers and their luggage.

Article 86
Damage caused by nuclear incident

No liability arises under this Convention for damage caused by a nuclear incident if the operator of a nuclear installation is liable for such damage:

(*a*) Under the Paris Convention on Third Party Liability in the Field of Nuclear Energy of 29 July 1960 as amended by the Additional Protocol of 28 January 1964 and by the Protocols of 16 November 1982 and 12 February 2004, the Vienna Convention on Civil Liability for Nuclear Damage of 21 May 1963 as amended by the Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention of 21 September 1988 and as amended by the Protocol to Amend the 1963 Vienna Convention on Civil Liability for Nuclear Damage of 12 September 1997, or the Convention on Supplementary Compensation for Nuclear Damage of 12 September 1997, including any amendment to these conventions and any future convention in respect of the liability of the operator of a nuclear installation for damage caused by a nuclear incident; or

(*b*) Under national law applicable to the liability for such damage, provided that such law is in all respects as favourable to persons that may suffer damage as either the Paris or Vienna Conventions or the Convention on Supplementary Compensation for Nuclear Damage.

Chapter 18
Final clauses

Article 87
Depositary

The Secretary-General of the United Nations is hereby designated as the depositary of this Convention.

Article 88
Signature, ratification, acceptance, approval or accession

1. This Convention is open for signature by all States at Rotterdam, the Netherlands, on 23 September 2009, and thereafter at the Headquarters of the United Nations in New York.

2. This Convention is subject to ratification, acceptance or approval by the signatory States.

3. This Convention is open for accession by all States that are not signatory States as from the date it is open for signature.

4. Instruments of ratification, acceptance, approval and accession are to be deposited with the Secretary-General of the United Nations.

Article 89
Denunciation of other conventions

1. A State that ratifies, accepts, approves or accedes to this Convention and is a party to the International Convention for the Unification of certain Rules of Law relating to Bills of Lading signed at Brussels on 25 August 1924, to the Protocol to amend the International Convention for the Unification of certain Rules of Law relating to Bills of Lading, signed at Brussels on 23 February 1968, or to the Protocol to amend the International Convention for the Unification of certain Rules of Law relating to Bills of Lading as Modified by the Amending Protocol of 23 February 1968, signed at Brussels on 21 December 1979, shall at the same time denounce that Convention and the protocol or protocols thereto to which it is a party by notifying the Government of Belgium to that effect, with a declaration that the denunciation is to take effect as from the date when this Convention enters into force in respect of that State.

2. A State that ratifies, accepts, approves or accedes to this Convention and is a party to the United Nations Convention on the Carriage of Goods by Sea concluded at Hamburg on 31 March 1978 shall at the same time denounce that Convention by notifying the Secretary-General of the United Nations to that effect, with a declaration that the denunciation is to take effect as from the date when this Convention enters into force in respect of that State.

3. For the purposes of this article, ratifications, acceptances, approvals and accessions in respect of this Convention by States parties to the instruments listed in paragraphs 1 and 2 of this article that are notified to the depositary after this Convention has entered into force are not effective until such denunciations as may be required on the part of those States in respect of these instruments have become effective. The depositary of this Convention shall consult with the Government of Belgium, as the depositary of the instruments referred to in paragraph 1 of this article, so as to ensure necessary coordination in this respect.

Article 90
Reservations

No reservation is permitted to this Convention.

Article 91
Procedure and effect of declarations

1. The declarations permitted by articles 74 and 78 may be made at any time. The initial declarations permitted by article 92, paragraph 1, and article 93, paragraph 2, shall be made at the time of signature, ratification, acceptance, approval or accession. No other declaration is permitted under this Convention.

2. Declarations made at the time of signature are subject to confirmation upon ratification, acceptance or approval.

3. Declarations and their confirmations are to be in writing and to be formally notified to the depositary.

4. A declaration takes effect simultaneously with the entry into force of this Convention in respect of the State concerned. However, a declaration of which the depositary receives formal notification after such entry into force takes effect on the first day of the month following the expiration of six months after the date of its receipt by the depositary.

5. Any State that makes a declaration under this Convention may withdraw it at any time by a formal notification in writing

addressed to the depositary. The withdrawal of a declaration, or its modification where permitted by this Convention, takes effect on the first day of the month following the expiration of six months after the date of the receipt of the notification by the depositary.

Article 92
Effect in domestic territorial units

1. If a Contracting State has two or more territorial units in which different systems of law are applicable in relation to the matters dealt with in this Convention, it may, at the time of signature, ratification, acceptance, approval or accession, declare that this Convention is to extend to all its territorial units or only to one or more of them, and may amend its declaration by submitting another declaration at any time.

2. These declarations are to be notified to the depositary and are to state expressly the territorial units to which the Convention extends.

3. When a Contracting State has declared pursuant to this article that this Convention extends to one or more but not all of its territorial units, a place located in a territorial unit to which this Convention does not extend is not considered to be in a Contracting State for the purposes of this Convention.

4. If a Contracting State makes no declaration pursuant to paragraph 1 of this article, the Convention is to extend to all territorial units of that State.

Article 93
Participation by regional economic integration organizations

1. A regional economic integration organization that is constituted by sovereign States and has competence over certain matters governed by this Convention may similarly sign, ratify, accept, approve or accede to this Convention. The regional economic integration organization shall in that case have the rights and obligations of a Contracting State, to the extent that that organization has competence over matters governed by this Convention. When the number of Contracting States is relevant in this Convention, the regional economic integration organization does not count as a Contracting State in addition to its member States which are Contracting States.

2. The regional economic integration organization shall, at the time of signature, ratification, acceptance, approval or accession, make a declaration to the depositary specifying the matters governed by this Convention in respect of which competence has been transferred to that organization by its member States. The regional economic integration organization shall promptly notify the depositary of any changes to the distribution of competence, including new transfers of competence, specified in the declaration pursuant to this paragraph.

3. Any reference to a "Contracting State" or "Contracting States" in this Convention applies equally to a regional economic integration organization when the context so requires.

Article 94
Entry into force

1. This Convention enters into force on the first day of the month following the expiration of one year after the date of deposit of the twentieth instrument of ratification, acceptance, approval or accession.

2. For each State that becomes a Contracting State to this Convention after the date of the deposit of the twentieth instrument of ratification, acceptance, approval or accession, this Convention enters into force on the first day of the month following the expiration of one year after the deposit of the appropriate instrument on behalf of that State.

3. Each Contracting State shall apply this Convention to contracts of carriage concluded on or after the date of the entry into force of this Convention in respect of that State.

Article 95
Revision and amendment

1. At the request of not less than one third of the Contracting States to this Convention, the Secretary-General of the United Nations shall convene a conference of the Contracting States for revising or amending it.

2. Any instrument of ratification, acceptance, approval or accession deposited after the entry into force of an amendment to this Convention is deemed to apply to the Convention as amended.

Article 96
Denunciation of this Convention

1. A Contracting State may denounce this Convention at any time by means of a notification in writing addressed to the depositary.

2. The denunciation takes effect on the first day of the month following the expiration of one year after the notification is received by the depositary. If a longer period is specified in the notification, the denunciation takes effect upon the expiration of such longer period after the notification is received by the depositary.

DONE at New York, this eleventh day of December two thousand and eight, in a single original, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized by their respective Governments, have signed this Convention.

RESOLUTION 63/123

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/439, para. 10)[41]

63/123. Report of the International Law Commission on the work of its sixtieth session

The General Assembly,

Having considered the report of the International Law Commission on the work of its sixtieth session,[42]

Emphasizing the importance of furthering the progressive development of international law and its codification as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[43]

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission to enhance further their contribution to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Reaffirming the importance to the successful work of the International Law Commission of the information provided by Member States concerning their views and practice,

Recognizing the importance of the work of the special rapporteurs of the International Law Commission,

Recalling the role of Member States in submitting proposals for the consideration of the International Law Commission,

Welcoming the holding of the International Law Seminar, and noting with appreciation the voluntary contributions made to the United Nations Trust Fund for the International Law Seminar,

Acknowledging the importance of facilitating the timely publication of the *Yearbook of the International Law Commission* and eliminating the backlog,

Stressing the usefulness of focusing and structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report and for discussions on specific topics,

Wishing to enhance further, in the context of the revitalization of the debate on the report of the International Law Commission, the interaction between the Sixth Committee as a body of governmental representatives and the Commission as a body of independent legal experts, with a view to improving the dialogue between the two bodies,

Welcoming initiatives to hold interactive debates, panel discussions and question time in the Sixth Committee, as envisaged in resolution 58/316 of 1 July 2004 on further measures for the revitalization of the work of the General Assembly,

1. *Takes note* of the report of the International Law Commission on the work of its sixtieth session,[42] and recommends that the Commission continue its work on the topics in its current programme, taking into account the comments and observations of Governments, whether submitted in writing or expressed orally in debates in the Sixth Committee;

2. *Expresses its appreciation* to the International Law Commission for the work accomplished at its sixtieth session, in particular for the following accomplishments:

(*a*) The completion of the second reading of the draft articles on the law of transboundary aquifers under the topic "Shared natural resources";

(*b*) The completion of the first reading of the draft articles on the topic "Effects of armed conflicts on treaties";

3. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on the various aspects involved in the topics on the agenda of the Commission, in particular on all the specific issues identified in chapter III of its report,[44] regarding:

(*a*) Reservations to treaties;

(*b*) Responsibility of international organizations;

(*c*) Protection of persons in the event of disasters;

4. *Invites* Governments, within the context of paragraph 3 above, to provide information to the International Law Commission regarding practice with regard to the topics

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[41] The draft resolution recommended in the report was introduced in the Committee by the representative of New Zealand on behalf of the Bureau.

[42] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 10* (A/63/10).

[43] Resolution 2625 (XXV), annex.

[44] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 10* (A/63/10), paras. 26–33.

"Reservations to treaties" and "Protection of persons in the event of disasters";

5. *Draws the attention* of Governments to the importance for the International Law Commission of having their comments and observations by 1 January 2010 on the draft articles and commentaries on the topic "Effects of armed conflicts on treaties" adopted on first reading by the Commission at its sixtieth session;[45]

6. *Takes note* of the decision of the International Law Commission to include the topics "Treaties in time" and "The Most-Favoured-Nation clause" in its programme of work;[46]

7. *Invites* the International Law Commission to continue taking measures to enhance its efficiency and productivity and to consider making proposals to that end;

8. *Encourages* the International Law Commission to continue taking cost-saving measures at its future sessions without prejudice to the efficiency of its work;

9. *Requests* the Secretary-General to submit to the General Assembly, in accordance with the established procedures, and bearing in mind its resolution 56/272 of 27 March 2002, a report on the assistance currently provided to special rapporteurs and options regarding additional support of the work of special rapporteurs;

10. *Takes note* of paragraph 363 of the report of the International Law Commission, and decides that the next session of the Commission shall be held at the United Nations Office at Geneva from 4 May to 5 June and from 6 July to 7 August 2009;

11. *Welcomes* the enhanced dialogue between the International Law Commission and the Sixth Committee at the sixty-third session of the General Assembly, stresses the desirability of further enhancing the dialogue between the two bodies, and in this context encourages, inter alia, the continued practice of informal consultations in the form of discussions between the members of the Sixth Committee and the members of the Commission attending the sixty-fourth session of the Assembly;

12. *Encourages* delegations, during the debate on the report of the International Law Commission, to adhere as far as possible to the structured work programme agreed to by the Sixth Committee and to consider presenting concise and focused statements;

13. *Encourages* Member States to consider being represented at the level of legal adviser during the first week in which the report of the International Law Commission is discussed in the Sixth Committee (International Law Week) to enable high-level discussions on issues of international law;

14. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, any specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;

15. *Takes note* of paragraphs 336 to 340 of the report of the International Law Commission and commends the convening of the sixtieth anniversary commemorative meeting in Geneva on 19 and 20 May 2008, and also commends Member States, in association with existing regional organizations, professional associations, academic institutions and members of the Commission, that convened national or regional meetings dedicated to the work of the Commission;

16. *Also takes note* of paragraphs 355 and 356 of the report of the International Law Commission with regard to cooperation with other bodies, and encourages the Commission to continue the implementation of article 16, paragraph (*e*), and article 26, paragraphs 1 and 2, of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation;

17. *Encourages* the International Law Commission to undertake consultations, if it finds it appropriate, with key humanitarian actors, including the United Nations and the International Federation of Red Cross and Red Crescent Societies, in connection with work on the topic "Protection of persons in the event of disasters";

18. *Notes* that the International Law Commission, in accordance with article 26, paragraph 1, of its statute, envisages a meeting during its sixty-first session with legal advisers of international organizations within the United Nations system, in order to hold a discussion on matters of mutual interest;

19. *Also notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the International Law Commission and in formulating their comments and observations;

20. *Reaffirms* its previous decisions concerning the indispensable role of the Codification Division of the Office of Legal Affairs of the Secretariat in providing assistance to the International Law Commission, including in the preparation of memorandums and studies on topics on the agenda of the Commission;

21. *Approves* the conclusions reached by the International Law Commission in paragraph 359 of its report,

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[45] Ibid., para. 63.

[46] Ibid., paras. 353 and 354.

and reaffirms its previous decisions concerning the documentation and summary records of the Commission;[47]

22. *Takes note* of paragraph 360 of the report of the International Law Commission and, without prejudice to the importance of ensuring necessary allocations in the regular budget, acknowledges the establishment by the Secretary-General of a trust fund to accept voluntary contributions so as to address the backlog relating to the *Yearbook of the International Law Commission*, and invites voluntary contributions to that end;

23. *Welcomes* the continuous efforts of the Codification Division to maintain and improve the website relating to the work of the International Law Commission;[48]

24. *Expresses the hope* that the International Law Seminar will continue to be held in connection with the sessions of the International Law Commission and that an increasing number of participants, in particular from developing countries, will be given the opportunity to attend the Seminar, and appeals to States to continue to make urgently needed voluntary contributions to the United Nations Trust Fund for the International Law Seminar;

25. *Requests* the Secretary-General to provide the International Law Seminar with adequate services, including interpretation, as required, and encourages him to continue considering ways to improve the structure and content of the Seminar;

26. *Also requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the sixty-third session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

27. *Requests* the Secretariat to circulate to States, as soon as possible after the conclusion of the session of the International Law Commission, chapter II of its report containing a summary of the work of that session, chapter III containing the specific issues on which the views of Governments would be of particular interest to the Commission and the draft articles adopted on either first or second reading by the Commission;

28. *Encourages* the International Law Commission to continue considering ways in which specific issues on which the views of Governments would be of particular interest to the Commission could be framed so as to help Governments to have a better appreciation of the issues on which responses are required;

29. *Recommends* that the debate on the report of the International Law Commission at the sixty-fourth session of the General Assembly commence on 26 October 2009.

RESOLUTION 63/124

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/439, para. 10)[49]

63/124. The law of transboundary aquifers

The General Assembly,

Having considered chapter IV of the report of the International Law Commission on the work of its sixtieth session,[50] which contains the draft articles on the law of transboundary aquifers,

Noting that the Commission decided to recommend to the General Assembly (*a*) to take note of the draft articles on the law of transboundary aquifers in a resolution, and to annex the articles to the resolution; (*b*) to recommend to States concerned to make appropriate bilateral or regional arrangements for the proper management of their transboundary aquifers on the basis of the principles enunciated in the articles; and (*c*) to also consider, at a later stage, and in view of the importance of the topic, the elaboration of a convention on the basis of the draft articles,[51]

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (*a*), of the Charter of the United Nations,

Noting that the subject of the law of transboundary aquifers is of major importance in the relations of States,

Taking note of the comments of Governments and the discussion in the Sixth Committee at the sixty-third session of the General Assembly on this topic,

1. *Welcomes* the conclusion of the work of the International Law Commission on the law of transboundary aquifers and its adoption of the draft articles and a detailed commentary on the subject;

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[47] See resolutions 32/151, para. 10, and 37/111, para. 5, and all subsequent resolutions on the annual reports of the International Law Commission to the General Assembly.

[48] www.un.org/law/ilc.

[49] The draft resolution recommended in the report was introduced in the Committee by the representative of New Zealand on behalf of the Bureau.

[50] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 10* (A/63/10).

[51] Ibid., para. 49.

2. *Expresses its appreciation* to the Commission for its continuing contribution to the codification and progressive development of international law;

3. *Also expresses its appreciation* to the International Hydrological Programme of the United Nations Educational, Scientific and Cultural Organization and to other relevant organizations for the valuable scientific and technical assistance rendered to the International Law Commission;[52]

4. *Takes note* of the draft articles on the law of transboundary aquifers, presented by the Commission, the text of which is annexed to the present resolution, and commends them to the attention of Governments without prejudice to the question of their future adoption or other appropriate action;

5. *Encourages* the States concerned to make appropriate bilateral or regional arrangements for the proper management of their transboundary aquifers, taking into account the provisions of these draft articles;

6. *Decides* to include in the provisional agenda of its sixty-sixth session an item entitled "The law of transboundary aquifers" with a view to examining, inter alia, the question of the form that might be given to the draft articles.

Annex

The law of transboundary aquifers

. . .

Conscious of the importance for humankind of life-supporting groundwater resources in all regions of the world,

Bearing in mind Article 13, paragraph 1 (*a*), of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

Recalling General Assembly resolution 1803 (XVII) of 14 December 1962 on permanent sovereignty over natural resources,

Reaffirming the principles and recommendations adopted by the United Nations Conference on Environment and Development of 1992 in the Rio Declaration on Environment and Development[53] and Agenda 21,[54]

Taking into account increasing demands for freshwater and the need to protect groundwater resources,

Mindful of the particular problems posed by the vulnerability of aquifers to pollution,

Convinced of the need to ensure the development, utilization, conservation, management and protection of groundwater resources in the context of the promotion of the optimal and sustainable development of water resources for present and future generations,

Affirming the importance of international cooperation and good-neighbourliness in this field,

Emphasizing the need to take into account the special situation of developing countries,

Recognizing the necessity to promote international cooperation,

. . .

Part one
Introduction

Article 1
Scope

The present articles apply to:

(*a*) Utilization of transboundary aquifers or aquifer systems;

(*b*) Other activities that have or are likely to have an impact upon such aquifers or aquifer systems; and

(*c*) Measures for the protection, preservation and management of such aquifers or aquifer systems.

Article 2
Use of terms

For the purposes of the present articles:

(*a*) "aquifer" means a permeable water bearing geological formation underlain by a less permeable layer and the water contained in the saturated zone of the formation;

(*b*) "aquifer system" means a series of two or more aquifers that are hydraulically connected;

(*c*) "transboundary aquifer" or "transboundary aquifer system" means, respectively, an aquifer or aquifer system, parts of which are situated in different States;

(*d*) "aquifer State" means a State in whose territory any part of a transboundary aquifer or aquifer system is situated;

(*e*) "utilization of transboundary aquifers or aquifer systems" includes extraction of water, heat and minerals, and storage and disposal of any substance;

(*f*) "recharging aquifer" means an aquifer that receives a non-negligible amount of contemporary water recharge;

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[52] Ibid., para. 51.

[53] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[54] Ibid., annex II.

(*g*) "recharge zone" means the zone which contributes water to an aquifer, consisting of the catchment area of rainfall water and the area where such water flows to an aquifer by run-off on the ground and infiltration through soil;

(*h*) "discharge zone" means the zone where water originating from an aquifer flows to its outlets, such as a watercourse, a lake, an oasis, a wetland or an ocean.

Part two
General principles

Article 3
Sovereignty of aquifer States

Each aquifer State has sovereignty over the portion of a transboundary aquifer or aquifer system located within its territory. It shall exercise its sovereignty in accordance with international law and the present articles.

Article 4
Equitable and reasonable utilization

Aquifer States shall utilize transboundary aquifers or aquifer systems according to the principle of equitable and reasonable utilization, as follows:

(*a*) They shall utilize transboundary aquifers or aquifer systems in a manner that is consistent with the equitable and reasonable accrual of benefits therefrom to the aquifer States concerned;

(*b*) They shall aim at maximizing the long-term benefits derived from the use of water contained therein;

(*c*) They shall establish individually or jointly a comprehensive utilization plan, taking into account present and future needs of, and alternative water sources for, the aquifer States; and

(*d*) They shall not utilize a recharging transboundary aquifer or aquifer system at a level that would prevent continuance of its effective functioning.

Article 5
Factors relevant to equitable and reasonable utilization

1. Utilization of a transboundary aquifer or aquifer system in an equitable and reasonable manner within the meaning of article 4 requires taking into account all relevant factors, including:

(*a*) The population dependent on the aquifer or aquifer system in each aquifer State;

(*b*) The social, economic and other needs, present and future, of the aquifer States concerned;

(*c*) The natural characteristics of the aquifer or aquifer system;

(*d*) The contribution to the formation and recharge of the aquifer or aquifer system;

(*e*) The existing and potential utilization of the aquifer or aquifer system;

(*f*) The actual and potential effects of the utilization of the aquifer or aquifer system in one aquifer State on other aquifer States concerned;

(*g*) The availability of alternatives to a particular existing and planned utilization of the aquifer or aquifer system;

(*h*) The development, protection and conservation of the aquifer or aquifer system and the costs of measures to be taken to that effect;

(*i*) The role of the aquifer or aquifer system in the related ecosystem.

2. The weight to be given to each factor is to be determined by its importance with regard to a specific transboundary aquifer or aquifer system in comparison with that of other relevant factors. In determining what is equitable and reasonable utilization, all relevant factors are to be considered together and a conclusion reached on the basis of all the factors. However, in weighing different kinds of utilization of a transboundary aquifer or aquifer system, special regard shall be given to vital human needs.

Article 6
Obligation not to cause significant harm

1. Aquifer States shall, in utilizing transboundary aquifers or aquifer systems in their territories, take all appropriate measures to prevent the causing of significant harm to other aquifer States or other States in whose territory a discharge zone is located.

2. Aquifer States shall, in undertaking activities other than utilization of a transboundary aquifer or aquifer system that have, or are likely to have, an impact upon that transboundary aquifer or aquifer system, take all appropriate measures to prevent the causing of significant harm through that aquifer or aquifer system to other aquifer States or other States in whose territory a discharge zone is located.

3. Where significant harm nevertheless is caused to another aquifer State or a State in whose territory a discharge zone is located, the aquifer State whose activities cause such harm shall take, in consultation with the affected State, all appropriate response measures to eliminate or mitigate such harm, having due regard for the provisions of articles 4 and 5.

Article 7
General obligation to cooperate

1. Aquifer States shall cooperate on the basis of sovereign equality, territorial integrity, sustainable development, mutual benefit and good faith in order to attain equitable and reasonable utilization and appropriate protection of their transboundary aquifers or aquifer systems.

2. For the purpose of paragraph 1, aquifer States should establish joint mechanisms of cooperation.

Article 8
Regular exchange of data and information

1. Pursuant to article 7, aquifer States shall, on a regular basis, exchange readily available data and information on the condition of their transboundary aquifers or aquifer systems, in particular of a geological, hydrogeological, hydrological, meteorological and ecological nature and related to the hydrochemistry of the aquifers or aquifer systems, as well as related forecasts.

2. Where knowledge about the nature and extent of a transboundary aquifer or aquifer system is inadequate, aquifer States concerned shall employ their best efforts to collect and generate more complete data and information relating to such aquifer or aquifer system, taking into account current practices and standards. They shall take such action individually or jointly and, where appropriate, together with or through international organizations.

3. If an aquifer State is requested by another aquifer State to provide data and information relating to an aquifer or aquifer system that are not readily available, it shall employ its best efforts to comply with the request. The requested State may condition its compliance upon payment by the requesting State of the reasonable costs of collecting and, where appropriate, processing such data or information.

4. Aquifer States shall, where appropriate, employ their best efforts to collect and process data and information in a manner that facilitates their utilization by the other aquifer States to which such data and information are communicated.

Article 9
Bilateral and regional agreements and arrangements

For the purpose of managing a particular transboundary aquifer or aquifer system, aquifer States are encouraged to enter into bilateral or regional agreements or arrangements among themselves. Such agreements or arrangements may be entered into with respect to an entire aquifer or aquifer system or any part thereof or a particular project, programme or utilization except insofar as an agreement or arrangement adversely affects, to a significant extent, the utilization by one or more other aquifer States of the water in that aquifer or aquifer system, without their express consent.

Part three
Protection, preservation and management

Article 10
Protection and preservation of ecosystems

Aquifer States shall take all appropriate measures to protect and preserve ecosystems within, or dependent upon, their transboundary aquifers or aquifer systems, including measures to ensure that the quality and quantity of water retained in an aquifer or aquifer system, as well as that released through its discharge zones, are sufficient to protect and preserve such ecosystems.

Article 11
Recharge and discharge zones

1. Aquifer States shall identify the recharge and discharge zones of transboundary aquifers or aquifer systems that exist within their territory. They shall take appropriate measures to prevent and minimize detrimental impacts on the recharge and discharge processes.

2. All States in whose territory a recharge or discharge zone is located, in whole or in part, and which are not aquifer States with regard to that aquifer or aquifer system, shall cooperate with the aquifer States to protect the aquifer or aquifer system and related ecosystems.

Article 12
Prevention, reduction and control of pollution

Aquifer States shall, individually and, where appropriate, jointly, prevent, reduce and control pollution of their transboundary aquifers or aquifer systems, including through the recharge process, that may cause significant harm to other aquifer States. Aquifer States shall take a precautionary approach in view of uncertainty about the nature and extent of a transboundary aquifer or aquifer system and of its vulnerability to pollution.

Article 13
Monitoring

1. Aquifer States shall monitor their transboundary aquifers or aquifer systems. They shall, wherever possible, carry out these monitoring activities jointly with other aquifer States concerned and, where appropriate, in collaboration with competent international organizations. Where monitoring activities cannot be carried out jointly, the aquifer States shall exchange the monitored data among themselves.

2. Aquifer States shall use agreed or harmonized standards and methodology for monitoring their transboundary aquifers or aquifer systems. They should identify key parameters that they will monitor based on an agreed conceptual model of the aquifers or aquifer systems. These parameters should include parameters on the condition of the aquifer or aquifer system as listed in article 8, paragraph 1, and also on the utilization of the aquifers or aquifer systems.

Article 14
Management

Aquifer States shall establish and implement plans for the proper management of their transboundary aquifers or aquifer systems. They shall, at the request of any of them, enter into consultations concerning the management of a transboundary aquifer or aquifer system. A joint management mechanism shall be established, wherever appropriate.

Article 15
Planned activities

1. When a State has reasonable grounds for believing that a particular planned activity in its territory may affect a transboundary aquifer or aquifer system and thereby may have a significant adverse effect upon another State, it shall, as far as practicable, assess the possible effects of such activity.

2. Before a State implements or permits the implementation of planned activities which may affect a transboundary aquifer or aquifer system and thereby may have a significant adverse effect upon another State, it shall provide that State with timely notification thereof. Such notification shall be accompanied by available technical data and information, including any environmental impact assessment, in order to enable the notified State to evaluate the possible effects of the planned activities.

3. If the notifying and the notified States disagree on the possible effect of the planned activities, they shall enter into consultations and, if necessary, negotiations with a view to arriving at an equitable resolution of the situation. They may utilize an independent fact-finding body to make an impartial assessment of the effect of the planned activities.

Part four
Miscellaneous provisions

Article 16
Technical cooperation with developing States

States shall, directly or through competent international organizations, promote scientific, educational, technical, legal and other cooperation with developing States for the protection and management of transboundary aquifers or aquifer systems, including, inter alia:

(*a*) Strengthening their capacity-building in scientific, technical and legal fields;

(*b*) Facilitating their participation in relevant international programmes;

(*c*) Supplying them with necessary equipment and facilities;

(*d*) Enhancing their capacity to manufacture such equipment;

(*e*) Providing advice on and developing facilities for research, monitoring, educational and other programmes;

(*f*) Providing advice on and developing facilities for minimizing the detrimental effects of major activities affecting their transboundary aquifer or aquifer system;

(*g*) Providing advice in the preparation of environmental impact assessments;

(*h*) Supporting the exchange of technical knowledge and experience among developing States with a view to strengthening cooperation among them in managing the transboundary aquifer or aquifer system.

Article 17
Emergency situations

1. For the purpose of the present article, "emergency" means a situation, resulting suddenly from natural causes or from human conduct, that affects a transboundary aquifer or aquifer system and poses an imminent threat of causing serious harm to aquifer States or other States.

2. The State within whose territory the emergency originates shall:

(*a*) Without delay and by the most expeditious means available, notify other potentially affected States and competent international organizations of the emergency;

(*b*) In cooperation with potentially affected States and, where appropriate, competent international organizations, immediately take all practicable measures necessitated by the circumstances to prevent, mitigate and eliminate any harmful effect of the emergency.

3. Where an emergency poses a threat to vital human needs, aquifer States, notwithstanding articles 4 and 6, may take measures that are strictly necessary to meet such needs.

4. States shall provide scientific, technical, logistical and other cooperation to other States experiencing an emergency. Cooperation may include coordination of international emergency actions and communications, making available emergency response personnel, emergency response equipment and supplies, scientific and technical expertise and humanitarian assistance.

Article 18
Protection in time of armed conflict

Transboundary aquifers or aquifer systems and related installations, facilities and other works shall enjoy the protection accorded by the principles and rules of international law applicable in international and non-international armed conflict and shall not be used in violation of those principles and rules.

Article 19
Data and information vital to national defence or security

Nothing in the present articles obliges a State to provide data or information vital to its national defence or security. Nevertheless, that State shall cooperate in good faith with other States with a view to providing as much information as possible under the circumstances.

RESOLUTION 63/125

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/440, para. 8)[55]

63/125. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986, 43/161 of 9 December 1988, 45/38 of 28 November 1990, 47/30 of 25 November 1992, 49/48 of 9 December 1994, 51/155 of 16 December 1996, 53/96 of 8 December 1998, 55/148 of 12 December 2000, 57/14 of 19 November 2002, 59/36 of 2 December 2004 and 61/30 of 4 December 2006,

Having considered the report of the Secretary-General,[56]

Thanking Member States and the International Committee of the Red Cross for their contribution to the report of the Secretary-General,

Reaffirming the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for those rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the possibility of making use of the International Humanitarian Fact-Finding Commission in relation to an armed conflict, pursuant to article 90 of Protocol I[57] to the Geneva Conventions of 1949,[58]

Stressing also the possibility for the International Humanitarian Fact-Finding Commission to facilitate, through its good offices, the restoration of an attitude of respect for the Geneva Conventions and Protocol I,

Stressing further the need to consolidate the existing body of international humanitarian law through its universal acceptance and the need for wide dissemination and full implementation of such law at the national level, and expressing concern about all violations of the Geneva Conventions and the Additional Protocols,[59]

Noting with satisfaction the increasing number of national commissions and other bodies involved in advising authorities at the national level on the implementation, dissemination and development of international humanitarian law,

Noting with appreciation the meetings of representatives of those bodies organized by the International Committee of the Red Cross to facilitate the sharing of concrete experience and the exchange of views on their roles and on the challenges they face,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and disseminate knowledge of international humanitarian law, in particular the Geneva Conventions and the Additional Protocols,

Recalling the undertakings at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007, which reaffirmed the need to reinforce the implementation of and respect for international humanitarian law,

Noting the serious concern expressed by States regarding the humanitarian impact caused by cluster munitions, and taking note of the adoption of the Convention on Cluster Munitions[60] in Dublin on 30 May 2008 and the ongoing negotiation of a proposal on this subject within the context of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Noting also the entry into force, on 14 January 2007, of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III) of 8 December 2005,

Welcoming the significant debate generated by the publication in 2005 of the study by the International Committee of the Red Cross on Customary International Humanitarian Law and current initiatives by the Committee to update volume II of the study, on practice, as well as the growing number of translations into other languages of parts of the study, and looking forward to further constructive discussion on the subject,

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[55] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Australia, Austria, Belarus, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Peru, Poland, Portugal, Republic of Moldova, Romania, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of) and Zambia.

[56] A/63/118 and Corr.1 and Add.1.

[57] United Nations, *Treaty Series*, vol. 1125, No. 17512.

[58] Ibid., vol. 75, Nos. 970–973.

[59] Ibid., vol. 1125, Nos. 17512 and 17513.

[60] See A/C.1/63/5, enclosure, part II.

Calling upon Member States to disseminate knowledge of international humanitarian law as widely as possible, and calling upon all parties to armed conflict to apply international humanitarian law,

Noting the special responsibilities of national Red Cross and Red Crescent societies, as auxiliaries to the public authorities of their respective States in the humanitarian field, to cooperate with and assist their Governments in the promotion, dissemination and implementation of international humanitarian law,

Acknowledging the fact that the Rome Statute of the International Criminal Court,[61] which entered into force on 1 July 2002, includes the most serious crimes of international concern under international humanitarian law, and that the Statute, while recalling that it is the duty of every State to exercise its criminal jurisdiction over those responsible for such crimes, shows the determination of the international community to put an end to impunity for the perpetrators of such crimes and thus to contribute to their prevention,

Acknowledging also the usefulness of discussing in the General Assembly the status of instruments of international humanitarian law relevant to the protection of victims of armed conflicts,

1. *Welcomes* the universal acceptance of the Geneva Conventions of 1949,[58] and notes the trend towards a similarly wide acceptance of the two Additional Protocols of 1977;[59]

2. *Calls upon* all States parties to the Geneva Conventions that have not yet done so to consider becoming parties to the Additional Protocols at the earliest possible date;

3. *Calls upon* all States that are already parties to Protocol I,[57] or those States not parties, on becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol and to consider making use, where appropriate, of the services of the International Humanitarian Fact-Finding Commission in accordance with the provisions of article 90 of Protocol I;

4. *Calls upon* all States that have not yet done so to consider becoming parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict[62] and the two Protocols thereto, and to other relevant treaties on international humanitarian law relating to the protection of victims of armed conflict;

5. *Calls upon* all States parties to the Protocols Additional to the Geneva Conventions to ensure their wide dissemination and full implementation;

6. *Notes with appreciation* the adoption by the Thirtieth International Conference of the Red Cross and Red Crescent of resolution 3, on the reaffirmation and implementation of international humanitarian law, entitled "Preserving human life and dignity in armed conflict", which, inter alia, reiterates the obligation of States to take national measures to implement international humanitarian law, including training of the armed forces and making this law known among the general public, as well as the adoption of legislation to punish war crimes in accordance with their international obligations;

7. *Affirms* the necessity of making the implementation of international humanitarian law more effective;

8. *Welcomes* the advisory service activities of the International Committee of the Red Cross in supporting efforts made by Member States to take legislative and administrative action to implement international humanitarian law and in promoting the exchange of information on those efforts between Governments;

9. *Also welcomes* the increasing number of national commissions or committees for the implementation of international humanitarian law and for promoting the incorporation of treaties on international humanitarian law into national law and disseminating the rules of international humanitarian law;

10. *Calls upon* States to consider becoming parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;[63]

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the status of the Additional Protocols relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of international humanitarian law, inter alia, with respect to its dissemination and full implementation at the national level, based on information received from Member States and the International Committee of the Red Cross;

12. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

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[61] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[62] Ibid., vol. 249, No. 3511.

[63] Ibid., vol. 2173, No. 27531.

RESOLUTION 63/126

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/441, para. 7)[64]

63/126. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

Having considered the report of the Secretary-General,[65]

Conscious of the need to develop and strengthen friendly relations and cooperation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

Alarmed by the recent acts of violence against diplomatic and consular representatives, as well as against representatives of international intergovernmental organizations and officials of such organizations, which have endangered or taken innocent lives and seriously impeded the normal work of such representatives and officials,

Expressing sympathy for the victims of such illegal acts,

Concerned at the failure to respect the inviolability of diplomatic and consular missions and representatives,

Recalling that, without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State,

Recalling also that diplomatic and consular premises must not be used in any manner incompatible with the functions of diplomatic and consular missions,

Emphasizing the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

Welcoming measures already taken by States to this end in conformity with their international obligations,

Convinced that the role of the United Nations, which includes the reporting procedures established pursuant to General Assembly resolution 35/168 of 15 December 1980 and further elaborated in subsequent Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

1. *Takes note* of the report of the Secretary-General;[65]

2. *Strongly condemns* acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives of international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified;

3. *Urges* States to strictly observe, implement and enforce the applicable principles and rules of international law governing diplomatic and consular relations, including during a period of armed conflict, and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives and officials mentioned in paragraph 2 above officially present in territories under their jurisdiction, including practical measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions, representatives and officials;

4. *Also urges* States to take all appropriate measures at the national and international levels to prevent any acts of violence against the missions, representatives and officials mentioned in paragraph 2 above, including during a period of armed conflict, and to ensure, with the participation of the United Nations where appropriate, that such acts are fully investigated with a view to bringing offenders to justice;

5. *Recommends* that States cooperate closely through, inter alia, contacts between the diplomatic and consular missions and the receiving State with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to the exchange of information on the circumstances of all serious violations thereof;

6. *Urges* States to take all appropriate measures, in accordance with international law, at the national and international levels, to prevent any abuse of diplomatic or consular privileges and immunities, in particular serious abuses, including those involving acts of violence;

7. *Recommends* that States cooperate closely with the State in whose territory abuses of diplomatic and consular privileges and immunities may have occurred, including by

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[64] The draft resolution recommended in the report was sponsored in the Committee by: Albania, Argentina, Australia, Austria, Belarus, Belgium, Benin, Bulgaria, Burkina Faso, Canada, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mexico, Montenegro, Netherlands, Nicaragua, Nigeria, Norway, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine and United Kingdom of Great Britain and Northern Ireland.

[65] A/63/121 and Add.1 and Add.1/Corr.1.

exchanging information and providing assistance to its juridical authorities in order to bring offenders to justice;

8. *Calls upon* States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

9. *Calls upon* States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of the missions or the security of the representatives and officials mentioned in paragraph 2 above, to make use of the means available for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;

10. *Requests*:

(*a*) All States to report to the Secretary-General as promptly as possible serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

(*b*) The State in which the violation took place – and, to the extent possible, the State where the alleged offender is present – to report to the Secretary-General as promptly as possible on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and to report on measures adopted with a view to preventing a repetition of such violations;

(*c*) The States so reporting to consider using or taking into account the guidelines prepared by the Secretary-General;[66]

11. *Requests* the Secretary-General:

(*a*) To send, without delay, a circular note to all States reminding them of the request contained in paragraph 10 above;

(*b*) To circulate to all States, upon receipt, the reports received by him pursuant to paragraph 10 above, unless the reporting State requests otherwise;

(*c*) To draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 10 above, when a serious violation has been reported pursuant to subparagraph 10 (*a*) above;

(*d*) To address reminders to States where such violations have occurred if reports pursuant to subparagraph 10 (*a*) above or follow-up reports pursuant to subparagraph 10 (*b*) above have not been made within a reasonable period of time;

12. *Also requests* the Secretary-General to invite States, in the circular note referred to in paragraph 11 (*a*) above, to inform him of their views with respect to any measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

13. *Further requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report containing:

(*a*) Information on the state of ratification of, and accessions to, the instruments referred to in paragraph 8 above;

(*b*) A summary of the reports received and views expressed pursuant to paragraphs 10 and 12 above;

14. *Invites* the Secretary-General to include in his report to the General Assembly any views he may wish to express on the matters referred to in paragraph 13 above;

15. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives".

RESOLUTION 63/127

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/442, para. 9)[67]

63/127. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

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[66] A/42/485, annex.

[67] The draft resolution recommended in the report was introduced in the Committee by the representative of Egypt on behalf of the Bureau.

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council,[68]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recalling also that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Mindful of the adoption of the revised working papers on the working methods of the Special Committee,[69]

Taking note of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[70]

Taking note also of paragraphs 106 to 110, 176 and 177 of the 2005 World Summit Outcome,[71]

Mindful of the decision of the Special Committee in which it expressed its readiness to engage, as appropriate, in the implementation of any decisions that might be taken at the High-level Plenary Meeting of the sixtieth session of the General Assembly in September 2005 that concerned the Charter and any amendments thereto,[72]

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999, 55/157 of 12 December 2000, 56/87 of 12 December 2001, 57/25 of 19 November 2002, 58/80 of 9 December 2003 and 59/45 of 2 December 2004,

Recalling also its resolution 62/69 of 6 December 2007,

Having considered the report of the Special Committee on the work of its session held in 2008,[73]

Noting with appreciation the work done by the Special Committee to encourage States to focus on the need to prevent and to settle peacefully their disputes which are likely to endanger the maintenance of international peace and security,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[73]

2. *Decides* that the Special Committee shall hold its next session from 17 to 25 February 2009;

3. *Requests* the Special Committee, at its session in 2009, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(*a*) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations, and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2009;

(*b*) To continue its consideration, on a priority basis, of the working document submitted by the Russian Federation, entitled "Basic conditions and standard criteria for introduction and implementation of sanctions", with a view to focusing on the outstanding issues;

(*c*) To continue to consider, on a priority basis and in an appropriate substantive manner and framework, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter based on all of the related reports of the Secretary-General[74] and the proposals submitted on the question;

(*d*) To keep on its agenda the question of the peaceful settlement of disputes between States;

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[68] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 47* (A/62/47).

[69] Ibid., *Sixty-first Session, Supplement No. 33* (A/61/33), para. 72.

[70] A/63/98.

[71] See resolution 60/1.

[72] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 33* (A/60/33), para. 77.

[73] Ibid., *Sixty-third Session, Supplement No. 33* (A/63/33).

[74] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1, A/58/346, A/59/334, A/60/320, A/61/304, A/62/206 and Corr.1 and A/63/224.

(*e*) To consider, as appropriate, any proposal referred to it by the General Assembly in the implementation of the decisions of the High-level Plenary Meeting of the sixtieth session of the Assembly in September 2005 that concern the Charter and any amendments thereto;

(*f*) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation;

4. *Notes* that the Special Committee decided not to keep on its agenda the topic relating to the consideration of the working paper submitted by the Russian Federation, entitled "Fundamentals of the legal basis for United Nations peacekeeping operations in the context of Chapter VI of the Charter of the United Nations";

5. *Invites* the Special Committee at its session in 2009 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

6. *Notes* the readiness of the Special Committee to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at its sixty-fourth session;

8. *Recognizes* the important role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work, as well as the importance of having recourse to the Court in the peaceful settlement of disputes, takes note, consistent with Article 96 of the Charter, of the Court's advisory jurisdiction that may be requested by the General Assembly, the Security Council or other authorized organs of the United Nations and the specialized agencies, and requests the Secretary-General to distribute, in due course, the advisory opinions requested by the principal organs of the United Nations as official documents of the United Nations;

9. *Commends* the Secretary-General for the progress made in the preparation of studies of the *Repertory of Practice of United Nations Organs*, including the increased use of the internship programme of the United Nations and further expanded cooperation with academic institutions for this purpose, as well as the progress made towards updating the *Repertoire of the Practice of the Security Council*;

10. *Notes with appreciation* the contributions made by Member States to the trust fund for the updating of the *Repertoire*, as well as the trust fund for the elimination of the backlog in the *Repertory*;

11. *Reiterates its call* for voluntary contributions to the trust fund for the updating of the *Repertoire*, as well as the trust fund for the elimination of the backlog in the *Repertory*, and the sponsoring, on a voluntary basis, and with no cost to the United Nations, of associate experts to assist in the updating of the two publications;

12. *Calls upon* the Secretary-General to continue his efforts towards updating the two publications and making them available electronically in all their respective language versions;

13. *Reiterates* the responsibility of the Secretary-General for the quality of the *Repertory* and the *Repertoire* and, in particular, with regard to the *Repertoire*, calls upon the Secretary-General to continue to follow the modalities outlined in paragraphs 102 to 106 of his report of 18 September 1952;[75]

14. *Requests* the Secretary-General to submit a report on both the *Repertory* and the *Repertoire* to the General Assembly at its sixty-fourth session;

15. *Also requests* the Secretary-General to brief the Special Committee at its next session on the information referred to in paragraph 11 of his report on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions;[76]

16. *Further requests* the Secretary-General to submit a report on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions to the General Assembly at its sixty-fourth session, under the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization";

17. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

RESOLUTION 63/128

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/443, para. 8)[77]

63/128. The rule of law at the national and international levels

The General Assembly,

Recalling its resolution 62/70 of 6 December 2007,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law, which are indispensable foundations of a more peaceful, prosperous and just world, and reiterating its determination to foster strict respect for them and to establish a just and lasting peace all over the world,

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[75] A/2170.

[76] A/63/224.

[77] The draft resolution recommended in the report was introduced in the Committee by the representative of Mexico on behalf of the Bureau.

Reaffirming also that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

Reaffirming further the need for universal adherence to and implementation of the rule of law at both the national and international levels and its solemn commitment to an international order based on the rule of law and international law, which, together with the principles of justice, is essential for peaceful coexistence and cooperation among States,

Convinced that the advancement of the rule of law at the national and international levels is essential for the realization of sustained economic growth, sustainable development, the eradication of poverty and hunger and the protection of all human rights and fundamental freedoms, and acknowledging that collective security depends on effective cooperation, in accordance with the Charter and international law, against transnational threats,

Reaffirming the duty of all States to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations and to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered, in accordance with Chapter VI of the Charter, and calling upon States that have not yet done so to consider accepting the jurisdiction of the International Court of Justice in accordance with its Statute,

Convinced that the promotion of and respect for the rule of law at the national and international levels, as well as justice and good governance, should guide the activities of the United Nations and of its Member States,

Recalling paragraph 134 (*e*) of the 2005 World Summit Outcome,[78]

1. *Notes with appreciation* the inventory of current rule of law activities of the United Nations submitted by the Secretary-General[79] and the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities;[80]

2. *Reaffirms* the role of the General Assembly in encouraging the progressive development of international law and its codification, and reaffirms further that States shall abide by all their obligations under international law;

3. *Stresses* the importance of adherence to the rule of law at the national level, and the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building, based on greater coordination and coherence within the United Nations system and among donors, and calls for greater evaluation of the effectiveness of such activities;

4. *Calls upon* the United Nations system to systematically address, as appropriate, aspects of the rule of law in relevant activities, recognizing the importance of the rule of law to virtually all areas of United Nations engagement;

5. *Expresses full support* for the overall coordination and coherence role of the Rule of Law Coordination and Resource Group within the United Nations system within existing mandates, supported by the Rule of Law Unit in the Executive Office of the Secretary-General, under the leadership of the Deputy Secretary-General, and requests the Secretary-General to submit an annual report on United Nations rule of law activities, in particular the work of the Group and the Unit, with special regard to the improvement of the coordination, coherence and effectiveness of rule of law activities, taking note of the elements set out in paragraphs 77 and 78 of the report of the Secretary-General;[80]

6. *Encourages* the Secretary-General and the United Nations system to accord high priority to rule of law activities;

7. *Invites* the International Court of Justice, the United Nations Commission on International Trade Law and the International Law Commission to continue to comment, in their respective reports to the General Assembly, on their current roles in promoting the rule of law;

8. *Invites* the Rule of Law Coordination and Resource Group and the Rule of Law Unit to interact with Member States, in particular in informal briefings;

9. *Stresses* the need to consider without delay the report of the Secretary-General on the resource requirements of the Unit,[81] and urges the Secretary-General and Member States to continue to support the functioning of the Unit during the interim phase;

10. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "The rule of law at the national and international levels", and invites Member States to focus their comments in future Sixth Committee debates on the sub-topics "Promoting the rule of law at the international level" (sixty-fourth session), "Laws and practices of Member States in implementing international law" (sixty-fifth session), and "Rule of law and transitional justice in conflict and post-conflict situations" (sixty-sixth session),[82] without prejudice to the consideration of the item as a whole.

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[78] See resolution 60/1.

[79] See A/63/64.

[80] A/63/226.

[81] See A/63/154.

[82] For further explanations on the sub-topics, see A/C.6/63/L.23.

RESOLUTION 63/129

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/444, para. 11)[83]

63/129. Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the United Nations Global Counter-Terrorism Strategy in all its aspects adopted on 8 September 2006,[84] enhancing the overall framework for the efforts of the international community to effectively counter the scourge of terrorism in all its forms and manifestations, and recalling the first biennial review of the Strategy,[85] on 4 and 5 September 2008, and the debates that were held on that occasion,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[86]

Recalling also the United Nations Millennium Declaration,[87]

Recalling further the 2005 World Summit Outcome,[88] and reaffirming in particular the section on terrorism,

Recalling the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 51/210 of 17 December 1996,

Recalling also all General Assembly resolutions on measures to eliminate international terrorism, and Security Council resolutions on threats to international peace and security caused by terrorist acts,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Reaffirming its strong condemnation of the heinous acts of terrorism that have caused enormous loss of human life, destruction and damage, including those which prompted the adoption of General Assembly resolution 56/1 of 12 September 2001, as well as Security Council resolutions 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001, and those that have occurred since the adoption of the latter resolution,

Recalling the strong condemnation of the atrocious and deliberate attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003 in General Assembly resolution 57/338 of 15 September 2003 and Security Council resolution 1502 (2003) of 26 August 2003,

Affirming that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law and adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Stressing the need to strengthen further international cooperation among States and among international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and the relevant international conventions,

Noting the role of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism in monitoring the implementation of that resolution, including the taking of the necessary financial, legal and technical measures by States and the ratification or acceptance of the relevant international conventions and protocols,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Mindful also of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and suppress effectively international terrorism in all its forms and manifestations,

Reiterating its call upon States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

Emphasizing that tolerance and dialogue among civilizations, and enhancing interfaith and intercultural understanding, are among the most important elements in promoting cooperation and success in combating terrorism, and welcoming the various initiatives to this end,

Reaffirming that no terrorist act can be justified in any circumstances,

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[83] The draft resolution recommended in the report was introduced in the Committee by the representative of Canada on behalf of the Bureau.

[84] Resolution 60/288.

[85] Resolution 62/272.

[86] See resolution 50/6.

[87] See resolution 55/2.

[88] See resolution 60/1.

Recalling Security Council resolution 1624 (2005) of 14 September 2005, and bearing in mind that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law,

Taking note of the recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, including those of, inter alia, the African Union, the ASEAN Regional Forum, the Asia-Pacific Economic Cooperation, the Association of Southeast Asian Nations, the Bali Counter-Terrorism Process, the Central American Integration System, the Collective Security Treaty Organization, the Common Market for Eastern and Southern Africa, the Cooperation Council for the Arab States of the Gulf, the Council of Europe, the East African Community, the Economic Community of West African States, the Euro-Mediterranean Partnership, the European Free Trade Association, the European Union, the Group of Eight, the Intergovernmental Authority on Development, the International Maritime Organization, the International Civil Aviation Organization, the League of Arab States, the Movement of Non-Aligned Countries, the North Atlantic Treaty Organization, the Organization for Economic Cooperation and Development, the Organization for Security and Cooperation in Europe, the Organization of American States, the Organization of the Islamic Conference, the Pacific Islands Forum, the Shanghai Cooperation Organization, the Southern African Development Community and the World Customs Organization,

Noting regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of and adherence to regional conventions,

Recalling its decision in resolutions 54/110 of 9 December 1999, 55/158 of 12 December 2000, 56/88 of 12 December 2001, 57/27 of 19 November 2002, 58/81 of 9 December 2003, 59/46 of 2 December 2004, 60/43 of 8 December 2005, 61/40 of 4 December 2006 and 62/71 of 6 December 2007 that the Ad Hoc Committee established by General Assembly resolution 51/210 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Recalling also the Final Document of the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, adopted in Havana on 16 September 2006, which reiterated the collective position of the Movement of Non-Aligned Countries on terrorism and reaffirmed its previous initiative[89] calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, as well as other relevant initiatives,

Aware of its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006 and 62/159 of 18 December 2007,

Having examined the report of the Secretary-General,[90] the report of the Ad Hoc Committee established by resolution 51/210[91] and the oral report of the Chairperson on the work of the Working Group established by the Sixth Committee during the sixty-third session of the General Assembly,[92]

1. *Strongly condemns* all acts, methods and practices of terrorism in all its forms and manifestations as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Calls upon* all Member States, the United Nations and other appropriate international, regional and subregional organizations to implement the United Nations Global Counter-Terrorism Strategy,[84] as well as the resolution on the first biennial review of the Strategy,[85] in all its aspects at the international, regional, subregional and national levels without delay, including through mobilizing resources and expertise;

3. *Recalls* the pivotal role of the General Assembly in following up the implementation and updating of the Strategy, and in this regard also recalls its invitation to the Secretary-General to contribute to the future deliberations of the General Assembly, and requests the Secretary-General when doing so to provide information on relevant activities within the Secretariat to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

4. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

5. *Reiterates its call upon* all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (*a*) to (*f*) of resolution 51/210;

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[89] See A/53/667-S/1998/1071, annex I, paras. 149–162.

[90] A/63/173 and Add.1.

[91] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 37* (A/63/37).

[92] Ibid., *Sixty-third Session, Sixth Committee*, 14th meeting (A/C.6/63/SR.14), and corrigendum.

6. *Also reiterates its call upon* all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

7. *Reiterates its call upon* States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

8. *Urges* States to ensure that their nationals or other persons and entities within their territory that wilfully provide or collect funds for the benefit of persons or entities who commit, or attempt to commit, facilitate or participate in the commission of terrorist acts are punished by penalties consistent with the grave nature of such acts;

9. *Reminds* States of their obligations under relevant international conventions and protocols and Security Council resolutions, including Security Council resolution 1373 (2001), to ensure that perpetrators of terrorist acts are brought to justice;

10. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

11. *Recalls* the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism,[93] the Amendment to the Convention on the Physical Protection of Nuclear Material,[94] the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation[95] and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[96] and urges all States to consider, as a matter of priority, becoming parties to these instruments;

12. *Urges* all States that have not yet done so to consider as a matter of priority, and in accordance with Security Council resolution 1373 (2001), and Council resolution 1566 (2004) of 8 October 2004, becoming parties to the relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings,[97] the International Convention for the Suppression of the Financing of Terrorism,[98] the International Convention for the Suppression of Acts of Nuclear Terrorism, and the Amendment to the Convention on the Physical Protection of Nuclear Material, and calls upon all States to enact, as appropriate, the domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

13. *Urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to and implementing the conventions and protocols referred to in paragraph 12 above;

14. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraphs 11 and 12 of resolution 62/71, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

15. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, and calls upon all States to implement them;

16. *Calls upon* all States to cooperate to prevent and suppress terrorist acts;

17. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make the best use of the existing institutions of the United Nations;

18. *Requests* the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the most recent among them, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building;

19. *Welcomes* the current efforts by the Secretariat to prepare the third edition of the publication *International Instruments related to the Prevention and Suppression of International Terrorism* in all official languages;

20. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international

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[93] Resolution 59/290, annex.

[94] Adopted on 8 July 2005 by the Conference to Consider Proposed Amendments to the Convention on the Physical Protection of Nuclear Material.

[95] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/21).

[96] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/22).

[97] United Nations, *Treaty Series*, vol. 2149, No. 37517.

[98] Ibid., vol. 2178, No. 38349.

terrorism, as well as on intergovernmental meetings held by those organizations;

21. *Notes* the progress attained in the elaboration of the draft comprehensive convention on international terrorism during the meetings of the Ad Hoc Committee established by General Assembly resolution 51/210 and the Working Group established by the Sixth Committee during the sixty-third session of the General Assembly, and welcomes continuing efforts to that end;

22. *Decides* that the Ad Hoc Committee shall, on an expedited basis, continue to elaborate the draft comprehensive convention on international terrorism, and shall continue to discuss the item included in its agenda by General Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations;

23. *Also decides* that the Ad Hoc Committee shall meet from 29 June to 2 July 2009 in order to fulfil the mandate referred to in paragraph 22 above;

24. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

25. *Requests* the Ad Hoc Committee to report to the General Assembly at its sixty-third session in the event of the completion of the draft comprehensive convention on international terrorism;

26. *Also requests* the Ad Hoc Committee to report to the General Assembly at its sixty-fourth session on progress made in the implementation of its mandate;

27. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Measures to eliminate international terrorism".

RESOLUTION 63/130

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/452, para. 8)[99]

63/130. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[100]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[101] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[102] and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 51 of its report;[100]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions; and urges the host country to continue to take appropriate action, such as training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities and if violations occur to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

3. *Notes* the problems experienced by some permanent missions in connection with the implementation of the Parking Programme for Diplomatic Vehicles[103] and shall remain seized of the matter, with a view to continuing to maintain the proper implementation of the Parking Programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

4. *Requests* the host country to consider removing the remaining travel restrictions imposed by it on staff of certain missions and staff members of the Secretariat of certain nationalities, and, in this regard, notes the positions of affected States as reflected in the report of the Committee, of the Secretary-General and of the host country;

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[99] The draft resolution recommended in the report was sponsored in the Committee by: Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus.

[100] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 26* (A/63/26).

[101] Resolution 22 A (I).

[102] See resolution 169 (II).

[103] A/AC.154/355, annex.

5. *Notes* that the Committee anticipates that the host country will enhance its efforts to ensure the issuance, in a timely manner, of entry visas to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[102] to travel to New York on United Nations business; and notes that the Committee anticipates that the host country will enhance efforts to facilitate participation, including visa issuance, of representatives of Member States in other United Nations meetings as appropriate;

6. *Notes also* that a number of delegations have requested shortening the time frame applied by the host country for issuance of entry visas to representatives of Member States, since this time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings;

7. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

8. *Affirms* the importance of the Committee being in a position to fulfil its mandate and meet on short notice to deal with urgent and important matters concerning the relations between the United Nations and the host country, and in that connection requests the Secretariat and the Committee on Conferences to accord priority to requests from the Committee on Relations with the Host Country for conference-servicing facilities for meetings of that Committee that must be held while the General Assembly and its Main Committees are meeting, without prejudice to the requirements of those bodies and on an "as available" basis;

9. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

10. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

11. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Report of the Committee on Relations with the Host Country".

RESOLUTION 63/131

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/453, para. 7)[104]

63/131. Observer status for the South Centre in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the South Centre,

1. *Decides* to invite the South Centre to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 63/132

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/455, para. 7)[105]

63/132. Observer status for the University for Peace in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the University for Peace,

1. *Decides* to invite the University for Peace to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

RESOLUTION 63/133

Adopted at the 67th plenary meeting, on 11 December 2008, without a vote, on the recommendation of the Committee (A/63/454, para. 7)[106]

63/133. Observer status for the International Fund for Saving the Aral Sea in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the International Fund for Saving the Aral Sea,

1. *Decides* to invite the International Fund for Saving the Aral Sea to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

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[104] The draft resolution recommended in the report was sponsored in the Committee by: Angola, Benin, Brazil, China, Côte d'Ivoire, Democratic Republic of the Congo, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Madagascar, Malawi, Malaysia, Mali, Mauritius, Morocco, Mozambique, Namibia, Nigeria, Pakistan, Philippines, Sierra Leone, South Africa, Sudan, Suriname, Syrian Arab Republic, United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe.

[105] The draft resolution recommended in the report was sponsored in the Committee by: Chile, Colombia, Costa Rica, Croatia, Cuba, Egypt, El Salvador, Guatemala, Italy, Jordan, Mexico, Montenegro, Nicaragua, Pakistan, Paraguay, Peru, Philippines, Russian Federation, Saint Lucia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey and Venezuela (Bolivarian Republic of).

[106] The draft resolution recommended in the report was sponsored in the Committee by: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

Annex I

Allocation of agenda items[a]

Plenary meetings

1. Opening of the session by the President of the General Assembly.
2. Minute of silent prayer or meditation.
3. Credentials of representatives to the sixty-third session of the General Assembly:
    (*a*) Appointment of the members of the Credentials Committee;
    (*b*) Report of the Credentials Committee.
4. Election of the President of the General Assembly.
6. Election of the Vice-Presidents of the General Assembly.
7. Organization of work, adoption of the agenda and allocation of items: reports of the General Committee.
8. General debate.

A. Maintenance of international peace and security

9. Report of the Security Council.
10. Report of the Peacebuilding Commission.
11. The role of diamonds in fuelling conflict.
12. Prevention of armed conflict.
13. Protracted conflicts in the GUAM area and their implications for international peace, security and development.
14. Zone of peace and cooperation of the South Atlantic.
15. The situation in the Middle East.
16. Question of Palestine.
17. The situation in Afghanistan.
18. The situation in the occupied territories of Azerbaijan.
19. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.
20. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development.
21. Question of Cyprus.
22. Armed aggression against the Democratic Republic of the Congo.
23. Question of the Falkland Islands (Malvinas).
24. The situation of democracy and human rights in Haiti.

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[a] Organized under headings corresponding to the priorities of the Organization.

25. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security.

26. Consequences of the Iraqi occupation of and aggression against Kuwait.

31. Comprehensive review of the whole question of peacekeeping operations in all their aspects.

B. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences

40. Report of the Economic and Social Council.

41 Implementation of the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS.

42. Sport for peace and development.

43. 2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa.

44. Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields.

45. Culture of peace.

52. Groups of countries in special situations:

    (*b*) Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation.

155. Recognition of sickle-cell anaemia as a public health priority.

C. Development of Africa

57. New Partnership for Africa's Development: progress in implementation and international support:

    (*a*) New Partnership for Africa's Development: progress in implementation and international support;

    (*b*) Causes of conflict and the promotion of durable peace and sustainable development in Africa.

D. Promotion of human rights

58. Report of the Human Rights Council.

59. Holocaust remembrance.

64. Promotion and protection of human rights.

E. Effective coordination of humanitarian assistance efforts

65. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:

    (*a*) Strengthening of the coordination of emergency humanitarian assistance of the United Nations;

    (*b*) Special economic assistance to individual countries or regions;

    (*c*) Assistance to the Palestinian people.

F. Promotion of justice and international law

66. Report of the International Court of Justice.

67. Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

68. Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

69. Report of the International Criminal Court.

70. Oceans and the law of the sea:

    (*a*) Oceans and the law of the sea;

    (*b*) Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.

71. Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law.

G. Disarmament

80. Report of the International Atomic Energy Agency.

I. Organizational, administrative and other matters

100. Report of the Secretary-General on the work of the Organization.

101. Report of the Secretary-General on the Peacebuilding Fund.

102. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations.

103. Elections to fill vacancies in principal organs:

    (*a*) Election of five non-permanent members of the Security Council;

    (*b*) Election of eighteen members of the Economic and Social Council;

    (*c*) Election of five members of the International Court of Justice.

104. Elections to fill vacancies in subsidiary organs and other elections:

    (*a*) Election of twenty members of the Committee for Programme and Coordination;

    (*b*) Election of seven members of the Organizational Committee of the Peacebuilding Commission;

    (*c*) Election of eighteen members of the Human Rights Council.

105. Appointments to fill vacancies in subsidiary organs and other appointments:

    (*g*) Appointment of members of the Committee on Conferences;

    (*h*) Appointment of a member of the Joint Inspection Unit;

    (*i*) Confirmation of the appointment of the Administrator of the United Nations Development Programme;

    (*j*) Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development;

    (*k*) Appointment of the judges of the United Nations Dispute Tribunal;

    (*l*) Appointment of the judges of the United Nations Appeals Tribunal.

106. Admission of new Members to the United Nations.

107. Follow-up to the outcome of the Millennium Summit.

108. Follow-up to the commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade.

109. Implementation of the resolutions of the United Nations.

110. Revitalization of the work of the General Assembly.

111. Question of equitable representation on and increase in the membership of the Security Council and related matters.

112. Strengthening of the United Nations system.

113. Multilingualism.

114. Cooperation between the United Nations and regional and other organizations:
    - (*a*) Cooperation between the United Nations and the African Union;
    - (*b*) Cooperation between the United Nations and the Asian-African Legal Consultative Organization;
    - (*c*) Cooperation between the United Nations and the Association of Southeast Asian Nations;
    - (*d*) Cooperation between the United Nations and the Black Sea Economic Cooperation Organization;
    - (*e*) Cooperation between the United Nations and the Caribbean Community;
    - (*f*) Cooperation between the United Nations and the Community of Portuguese-speaking Countries;
    - (*g*) Cooperation between the United Nations and the Council of Europe;
    - (*h*) Cooperation between the United Nations and the Economic Community of Central African States;
    - (*i*) Cooperation between the United Nations and the Economic Cooperation Organization;
    - (*j*) Cooperation between the United Nations and the Eurasian Economic Community;
    - (*k*) Cooperation between the United Nations and the International Organization of la Francophonie;
    - (*l*) Cooperation between the United Nations and the Inter-Parliamentary Union;
    - (*m*) Cooperation between the United Nations and the Latin American Economic System;
    - (*n*) Cooperation between the United Nations and the League of Arab States;
    - (*o*) Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons;
    - (*p*) Cooperation between the United Nations and the Organization for Security and Cooperation in Europe;
    - (*q*) Cooperation between the United Nations and the Organization of American States;
    - (*r*) Cooperation between the United Nations and the Organization of the Islamic Conference;
    - (*s*) Cooperation between the United Nations and the Pacific Islands Forum;
    - (*t*) Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;
    - (*u*) Cooperation between the United Nations and the Southern African Development Community.

115. Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme.

119. Programme planning.

154. Judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

First Committee

5. Election of the officers of the Main Committees.

G. Disarmament

81. Reduction of military budgets.

82. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament.

83. Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe.

84. Role of science and technology in the context of international security and disarmament.

85. Developments in the field of information and telecommunications in the context of international security.

86. Establishment of a nuclear-weapon-free zone in the region of the Middle East.

87. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

88. Prevention of an arms race in outer space.

89. General and complete disarmament:

    (*a*) Notification of nuclear tests;

    (*b*) Missiles;

    (*c*) Problems arising from the accumulation of conventional ammunition stockpiles in surplus;

    (*d*) Disarmament and non-proliferation education;

    (*e*) Consolidation of peace through practical disarmament measures;

    (*f*) Transparency in armaments;

    (*g*) Information on confidence-building measures in the field of conventional arms;

    (*h*) Mongolia's international security and nuclear-weapon-free status;

    (*i*) Establishment of a nuclear-weapon-free zone in Central Asia;

    (*j*) Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;

    (*k*) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;

    (*l*) Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments;

    (*m*) Promotion of multilateralism in the area of disarmament and non-proliferation;

    (*n*) Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control;

    (*o*) Convening of the fourth special session of the General Assembly devoted to disarmament;

    (*p*) Effects of the use of armaments and ammunitions containing depleted uranium;

    (*q*) Reducing nuclear danger;

    (*r*) Measures to prevent terrorists from acquiring weapons of mass destruction;

    (*s*) Nuclear-weapon-free southern hemisphere and adjacent areas;

- (*t*) Regional disarmament;
- (*u*) Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*;
- (*v*) Nuclear disarmament;
- (*w*) Transparency and confidence-building measures in outer space activities;
- (*x*) Conventional arms control at the regional and subregional levels;
- (*y*) Confidence-building measures in the regional and subregional context;
- (*z*) The illicit trade in small arms and light weapons in all its aspects;
- (*aa*) Relationship between disarmament and development;
- (*bb*) United Nations conference to identify appropriate ways of eliminating nuclear dangers in the context of nuclear disarmament.

90. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly:
    - (*a*) United Nations disarmament fellowship, training and advisory services;
    - (*b*) United Nations Disarmament Information Programme;
    - (*c*) United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean;
    - (*d*) United Nations regional centres for peace and disarmament;
    - (*e*) Convention on the Prohibition of the Use of Nuclear Weapons;
    - (*f*) United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;
    - (*g*) Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa;
    - (*h*) United Nations Regional Centre for Peace and Disarmament in Africa.
91. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session:
    - (*a*) Report of the Disarmament Commission;
    - (*b*) Report of the Conference on Disarmament.
92. The risk of nuclear proliferation in the Middle East.
93. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
94. Strengthening of security and cooperation in the Mediterranean region.
95. Comprehensive Nuclear-Test-Ban Treaty.
96. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

I. Organizational, administrative and other matters

110. Revitalization of the work of the General Assembly.
119. Programme planning.

Special Political and Decolonization Committee (Fourth Committee)

5. Election of the officers of the Main Committees.

A. Maintenance of international peace and security

27. Effects of atomic radiation.

28. International cooperation in the peaceful uses of outer space.

29. United Nations Relief and Works Agency for Palestine Refugees in the Near East.

30. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

31. Comprehensive review of the whole question of peacekeeping operations in all their aspects.

32. Questions relating to information.

33. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations.

34. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories.

35. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations.

36. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.

37. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

I. Organizational, administrative and other matters

110. Revitalization of the work of the General Assembly.

119. Programme planning.

Second Committee

5. Election of the officers of the Main Committees.

A. Maintenance of international peace and security

38. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.

B. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences

46. Information and communication technologies for development.

47. Macroeconomic policy questions:

    (*a*) International trade and development;

    (*b*) International financial system and development;

    (*c*) External debt and development: towards a durable solution to the debt problems of developing countries;

    (*d*) Commodities.

48. Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the preparation of the 2008 Review Conference.

49. Sustainable development:

    (*a*) Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development;

    (*b*) Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;

    (*c*) International Strategy for Disaster Reduction;

    (*d*) Protection of global climate for present and future generations of mankind;

    (*e*) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

    (*f*) Convention on Biological Diversity;

    (*g*) Report of the Governing Council of the United Nations Environment Programme on its tenth special session.

50. Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat).

51. Globalization and interdependence:

    (*a*) Role of the United Nations in promoting development in the context of globalization and interdependence;

    (*b*) International migration and development;

    (*c*) Culture and development;

    (*d*) Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption;

    (*e*) Integration of the economies in transition into the world economy.

52. Groups of countries in special situations:

    (*a*) Third United Nations Conference on the Least Developed Countries;

    (*b*) Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation.

53. Eradication of poverty and other development issues:

    (*a*) Implementation of the second United Nations Decade for the Eradication of Poverty (2008–2017);

    (*b*) Industrial development cooperation.

54. Operational activities for development.

I. Organizational, administrative and other matters

110. Revitalization of the work of the General Assembly.

119. Programme planning.

Third Committee

5. Election of the officers of the Main Committees.

A. Maintenance of international peace and security

39. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions.

B. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences

55. Social development:

    (*a*) Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly;

    (*b*) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family;

    (*c*) Follow-up to the International Year of Older Persons: Second World Assembly on Ageing;

    (*d*) United Nations Literacy Decade: education for all;

    (*e*) Review and appraisal of the World Programme of Action concerning Disabled Persons.

56. Advancement of women:

    (*a*) Advancement of women;

    (*b*) Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly.

D. Promotion of human rights

58. Report of the Human Rights Council.

60. Promotion and protection of the rights of children:

    (*a*) Promotion and protection of the rights of children;

    (*b*) Follow-up to the outcome of the special session on children.

61. Indigenous issues:

    (*a*) Indigenous issues;

    (*b*) Second International Decade of the World's Indigenous People.

62. Elimination of racism, racial discrimination, xenophobia and related intolerance:

    (*a*) Elimination of racism, racial discrimination, xenophobia and related intolerance;

    (*b*) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.

63. Right of peoples to self-determination.

64. Promotion and protection of human rights:

    (*a*) Implementation of human rights instruments;

    (*b*) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

    (*c*) Human rights situations and reports of special rapporteurs and representatives;

(*d*) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;

(*e*) Convention on the Rights of Persons with Disabilities.

H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations

97. Crime prevention and criminal justice.

98. International drug control.

I. Organizational, administrative and other matters

110. Revitalization of the work of the General Assembly.

119. Programme planning.

Fifth Committee

5. Election of the officers of the Main Committees.

I. Organizational, administrative and other matters

105. Appointments to fill vacancies in subsidiary organs and other appointments:
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    (*d*) Appointment of members of the United Nations Administrative Tribunal;
    (*e*) Appointment of members of the International Civil Service Commission;
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110. Revitalization of the work of the General Assembly.

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    (*k*) Fund of the United Nations Environment Programme;
    (*l*) United Nations Population Fund;
    (*m*) United Nations Human Settlements Programme;

(*n*) Fund of the United Nations International Drug Control Programme;

(*o*) United Nations Office for Project Services;

(*p*) International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994;

(*q*) International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

117. Review of the efficiency of the administrative and financial functioning of the United Nations.

118. Programme budget for the biennium 2008–2009.

119. Programme planning.

120. Improving the financial situation of the United Nations.

121. Pattern of conferences.

122. Scale of assessments for the apportionment of the expenses of the United Nations.

123. Human resources management.

124. Joint Inspection Unit.

125. United Nations common system.

126. United Nations pension system.

127. Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.

128. Report on the activities of the Office of Internal Oversight Services.

129. Administration of justice at the United Nations.

130. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

131. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

132. Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations.

133. Financing of the United Nations Operation in Burundi.

134. Financing of the United Nations Operation in Côte d'Ivoire.

135. Financing of the United Nations Peacekeeping Force in Cyprus.

136. Financing of the United Nations Organization Mission in the Democratic Republic of the Congo.

137. Financing of the United Nations Mission in East Timor.

138. Financing of the United Nations Integrated Mission in Timor-Leste.

139. Financing of the United Nations Mission in Ethiopia and Eritrea.

140. Financing of the United Nations Observer Mission in Georgia.

141. Financing of the United Nations Stabilization Mission in Haiti.

142. Financing of the United Nations Interim Administration Mission in Kosovo.

143. Financing of the United Nations Mission in Liberia.

144. Financing of the United Nations peacekeeping forces in the Middle East:
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    (*b*) United Nations Interim Force in Lebanon.

145. Financing of the United Nations Mission in Sierra Leone.

146. Financing of the United Nations Mission in the Sudan.

147. Financing of the United Nations Mission for the Referendum in Western Sahara.

148. Financing of the African Union-United Nations Hybrid Operation in Darfur.

149. Financing of the United Nations Mission in the Central African Republic and Chad.

Sixth Committee

5. Election of the officers of the Main Committees.

F. Promotion of justice and international law

72. Nationality of natural persons in relation to the succession of States.

73. Criminal accountability of United Nations officials and experts on mission.

74. Report of the United Nations Commission on International Trade Law on the work of its forty-first session.

75. Report of the International Law Commission on the work of its sixtieth session.

76. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.

77. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives.

78. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.

79. The rule of law at the national and international levels.

H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations

99. Measures to eliminate international terrorism.

I. Organizational, administrative and other matters

110. Revitalization of the work of the General Assembly.

119. Programme planning.

129. Administration of justice at the United Nations.

150. Report of the Committee on Relations with the Host Country.

151. Observer status for the South Centre in the General Assembly.

152. Observer status for the Agency for International Trade Information and Cooperation in the General Assembly.

153. Observer status for the University for Peace in the General Assembly.

156. Observer status for the International Fund for Saving the Aral Sea in the General Assembly.

Annex II

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